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The Nation

June 15, 1985 $1.25; U.K. 65p

EDITORIAL

GREECE GOES ITS OWN WAY

Since the "mercurial" Andreas Papandreou came to power in Greece three and a half years ago, the U.S. media has added a third term to Jeane Kirkpatrick's guide to foreign governments: totalitarian, authoritarian—and unpredictable. That epithet (a near cousin, by wishful thinking, to "unstable") worked overtime this week as commentators struggled to avoid the meaning of Papandreou's sweeping victory: socialism in Greece is not an aberration but the new, democratically chosen political order.

The next four years will not be easy for Papandreou. The economy is faltering and must be strengthened. So must the conditions for substantive political debate. The volume of slogans shouted and leaflets strewn during the campaign led Greeks to speak of the "footballization" of politics. But that cannot lessen the power of the Greek people's statement: the old, Atlanticist establishment has been decisively rejected.

If Papandreou's course in foreign policy has seemed blurred by fancy footwork, it is largely because his tightrope to self-determination is constantly shaken by the United States. The day after the election, American newscasts were abuzz with threats as to what will happen if Papandreou closes U.S. bases in Greece, as promised, in 1988. There are "detailed contingency plans . . . approved at the highest level of this government," breathed a Pentagon spokesman on *NBC Nightly News*, adding that "Sicily and Turkey play a very important role." But for Greece, the risks of moving forward have paled beside the dangers of retreat: a permanent American presence in its internal affairs, uncertain and limited democracy, quiet compliance with America's re-arming of Turkey and with the occupation of northern Cyprus. The Greeks have declared their independence. Their message should find its echo in Europe and beyond.

AGCA THE GOD
Alexander Cockburn

PRIVATE PRISONS: THE DOWNSIDE
Craig Becker
Amy Dru Stanley

CORPORATE CRIME (II):
PROPOS
Mark Gr
John F. B

FAITH, HOPE & GRACE PALEY
Carol Sternhell

FALLEN STARR
Jim Sleeper

'LAST LOOK'
Mindy Aloff

GOLD-PLATED WEAPONRY

IT'S WASTE AS USUAL AT THE PENTAGON

TONY KAYE

On March 28, the Air Force suspended General Electric, the Pentagon's fifth largest contractor, from doing business with the government for doctoring labor time sheets to the tune of $800,000. Within days, the General Services Administration announced it wouldn't even buy General Electric's tainted light bulbs. The Pentagon's highly publicized war on waste seemed finally to have wounded a major contractor. But it didn't take long for the headlines to fade and the suspension to be lifted. By the time General Electric pleaded guilty on May 13 to 108 counts of filing false claims, the Air Force had already ended the ban against all the company's affiliates except the Space Systems Division (which accounts for only 3 percent of General Electric's sales), where the fraud occurred. John Welch Jr., the chief executive officer, recently told shareholders the suspension would have "no significant impact" on this year's earnings. General Electric might not even lose out on the light bulbs; a company spokesman said the government might double its next order.

Under the Federal Acquisition Regulations, the Defense Department may debar contractors that have engaged in fraud, bribery or "any other offense indicating a lack of business integrity," though such a ban is not mandatory. Most sanctions result from legal proceedings. The Pentagon usually imposes suspension, a temporary penalty, after an indictment; and debarment, a more formal ban of up to three years, after a conviction. It can also suspend companies when it finds that a "preponderance of evidence" points to wrongdoing, a less

(*Continued on Page 734*)

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LETTERS.

WHO WAS JULIA?

New Haven, Conn.

Alexander Cockburn takes an interesting new slant on the issue of Lillian Hellman's veracity by insisting that her account of the life and death of an American woman in Fascist-dominated Vienna was a true story ["Beat the Devil," Feb. 23]. He also repeats (and much later in the column refutes) a fourth-hand rumor that the late Dr. Muriel Gardiner, the leading contender as Hellman's model, had declined the honor shortly before her death and claimed that her candidacy had been advanced by her "publicity-hungry publisher," which had used her as a "pawn" to increase sales of her own memoir, *Code Name "Mary."* I don't know which aspect of this story is more absurd: the image of venerable and distinguished Yale University Press as "publicity-hungry" or the idea that Muriel Gardiner, an extraordinarily tough-minded, independent woman, was our "pawn."

When the manuscript of what became *Code Name "Mary"* was received here, we naturally noticed a great many similarities between Gardiner's experiences in Vienna in the 1930s and Hellman's "memoir" in *Pentimento* called "Julia." Nevertheless, the manuscript was accepted for publication on the basis we apply to every proposal or manuscript: because of its intrinsic merits and after enthusiastic endorsement by an outside reader (in this case two, both academics) and approval by a committee of senior Yale faculty.

We knew, of course, that some members of the media would notice parallels between Hellman's story and Gardiner's own life and agreed in advance on the appropriate stance for her and for Yale: some obituary writers to the contrary, neither Gardiner nor the Press ever claimed that she was Julia, nor did we deny the claim when it was raised by others (as it frequently was). Gardiner's account was supported by literally hundreds of sources. The support, if any, for Hellman's claim that "Julia" was a true story was not then, and is not now, our concern.

The front flap of the jacket of *Code Name "Mary"* bears only the modest statement that "many believe [Gardiner's life] was the model for Lillian Hellman's story." That many so believe is certainly and demonstrably true. Again following our customary procedure, we submitted the flap copy and copy for the catalogue, press release and other advertising for the book to Gardiner for approval before any of it was set in type.

I never asked Gardiner directly whether she thought she was Julia, although we had frequent conversations about many things until a few weeks before her death. As anyone who knew her can confirm, she had a strong and thoroughly realistic sense of who she was and the meaning of her life; to her the Hellman affair was a petty matter, worthy of no response beyond wry amusement. Since she had been consulted about our handling of it at every step, she in no way felt that she had been our "pawn," and I simply don't believe she ever said so. Relations between that wonderful and unforgettable woman and this press were not only consistently cordial, they were loving.

Gladys Topkis

COCKBURN REPLIES

New York City

I'm not quite sure why Topkis feels it necessary to refute at such length an insinuation which I refuted myself in the column that has provoked her letter. Perhaps she thought it a good opportunity to advertise the dignity of Yale University Press. I'm not so sure that Muriel Gardiner thought the Julia affair "petty" and worthy only of "wry amusement." Other friends of Gardiner have dwelled on her anger and determination, almost till the day of her death, to prove once and for all that Lillian Hellman had, as she used to put it, "stolen" her life.

Alexander Cockburn

A.C.L.U. & THE FREEDOM OF DEBATE

San Francisco

Last year the A.C.L.U., the C.I.A. and Congress joined forces to pass the C.I.A. Information Act—an exemption to the Freedom of Information Act for the C.I.A.'s operational files. A.C.L.U. support of that act raised a furor among civil libertarians and journalists. This year the organization adopted a guide to future action that clearly refutes key sections of the legislation it had negotiated with the C.I.A., which I reported for *The Nation* [see "Welcome Reversal," April 27].

A.C.L.U. president Norman Dorsen diplomatically says no policy reversal occurred—only a restatement of shared principles. The rebels now say, "Who, us, differ on policy?" So the division is healed, which is good.

As the dust settled, the A.C.L.U. set up an informal mechanism intended to give its national board earlier warning of its staff's legislative positions than occurred during C.I.A. Information Act negotiations. I read that to mean no more secret talks like those with the C.I.A. on its F.O.I.A. exemption. Most important, the A.C.L.U. responds to critics with debates and internal changes, which speaks highly for its adherence to democratic principles.

Angus Mackenzie

TOOLS FOR LABOR

Des Moines

As I read Michael Kazin's thoughtful review of Harley Shaiken's *Work Transformed* and David Halle's *America's Working Man* ["Of Men and Machines," April 6], a tinge of excitement registered inside me. Something *new* on the labor movement had appeared and I was immediately stimulated.

Until this review, I had been rather bored with past *Nation* writers' attempts to go beyond critical analysis. Are labor scholars and activists so paralyzed by the gloom of their analyses that they hesitate to outline the possibilities labor can use to best advantage, let alone a broad plan of attack?

Shaiken talks about a "Technology Bill of Rights," Halle implies an incipient class consciousness waiting to be developed, Randy Barber has emphasized the power of pension fund investment and Barry Bluestone and Bennett Harrison have urged support of plant-closing legislation. These are only a few of the possible weapons at labor's disposal.

I urge *The Nation* to consider focusing on how labor can go on the attack rather than fight a losing rear-guard battle. The verdict on Reagan and his effort to destroy the gains America has made in the areas of labor and social justice has long been in. Now is the time for fresh approaches and paths to be considered and implemented.

Jay H. Krulewitch

IVY TOWER DIVESTMENT

Ithaca, N.Y.

I hope your assertion that "there have been strikes, demonstrations and protests at . . . every Ivy League university except Cornell" was an innocent oversight ["Protest on Campus," April 27]. Since April 18, over 900 people, including roughly three dozen faculty and staff members, have been arrested by campus police for occupying the administrative office building in protest of Cornell's investments in South Africa.

Adela Pinch

Many Cornellians, past and present, have pointed out the error in our April 27 editorial. The statement was true when the editorial was written, on April 17. The first demonstration at Cornell's Day Hall occurred just as we were going to press the next day. Todd Gitlin got the facts right in "Reinventing 'the Sixties'" [May 18]. As we go to press this week, the number of anti-apartheid arrests at Cornell is close to 1,050. Over 600 students, parents, faculty and staff members attended a Divestment Convocation on June 1, and students wore armbands and released a thousand black balloons at the graduation ceremonies, on June 2 [see "Beat the Devil," page 726]. —The Editors

The Nation welcomes letters—typed, double-spaced and no longer than 300 words, please. Longer letters may be edited for reasons of space. Our policy is to publish as many letters as space permits, but inevitably a backlog develops, so please bear with us.

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EDITORIALS.

Supply-Side Spies

"Who says you can't have it all?" Espionage in the age of Reagan follows the ideology of beer commercials, which already informs foreign policy, corporate mergers, tax reform and real estate. Who says you can't have Nicaragua, Nabisco, personal deductions and the entire West Side of Manhattan? In more altruistic times, Americans became spies in the belief they were serving a greater good than patriotism. Now spying is a preferred way to break into the cash nexus. The government is worried that the recent rash of treason signifies stepped-up Soviet efforts, but the foreign buyers' activity seems stable and standard for a cold war season. What's new is that the sellers' market has gone wild.

Nobody expresses the triumphs of supply-side espionage better than John Walker Jr., who is accused of directing an extended family of spies for two decades in the service of Soviet intelligence. When Walker was arrested last month, he had a picture of Ronald Reagan on his desk and a Ku Klux Klan robe in his closet, trenchant symbols of his political affection and social orientation. Walker's old Navy buddy, Klan Imperial Wizard Bill Wilkinson, remembers that back in the 1960s, when they both served on a nuclear submarine, the young salts had a grand old time "cussin' Commies." About that time, Walker allegedly began selling secrets to

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the Russians and using the proceeds to buy property and play the commodities market. The Federal Bureau of Investigation found a cache of ten 100-ounce silver bars in Walker's safe-deposit box. According to the charges, Walker enlisted his son, his brother and a family friend in the ring, and tried to involve his daughter (she has not been arrested). So much for the social consequences of traditional American family values.

The privatization of treason presents particular problems for counterintelligence. Security checks are virtually worthless. How do you weed out covetousness and greed in a population indoctrinated in the ideals of personal acquisition? It was hard enough in the old days to blacklist everyone who joined a grocery co-op or supported republican Spain. Now the F.B.I. will have to start checking people who hold a certificate of deposit, install a Jacuzzi or book a Caribbean cruise. As the defense establishment and the military apparatus expand, the job of clearing personnel will become overwhelming. Authorities already admit they are years behind in the task.

Despite the exaggerated claim of disaster quickly filed by the Pentagon in the Walker case, the American security system will surely survive these latest leaks. But it is far from clear that the American community will endure forever the assaults of aggressive privatism. To exhort America to "go for it" is to encourage the worst practices of self-aggrandizement at the expense of the commonwealth and the cooperative spirit. When the few have it, all the rest get precious little.

Rajiv's Road Trip

Indian Prime Minister Rajiv Gandhi, who arrives in Washington this week, hopes that a spell on the international circuit will refurbish his image at home. The mandate he received in December's election has largely dissipated. Indeed, it could be said that his domestic troubles began with that overwhelming victory. He won the Hindu majority's support by pandering to its prejudices against minority groups, reawakening divisive sectarian passions. He also promised to find a way out of the Punjab quagmire, but that problem is as intractable as ever.

In state elections in March, his Congress-I Party lost in two key southern states, Karnataka and Andhra Pradesh, despite Gandhi's intensive campaigning. In the April by-elections, his magic failed once again. More recently, his own party forced him to retreat on economic policy. To "liberalize" the economy, the government produced a 1985-86 budget that called for reduced individual and corporate taxes and an easing of antimonopoly laws. The idea was to write off the 500 million Indians who live on or below the poverty line and win support among the 200 million in the middle- and upper-income groups. Corporations were to be freed from regulatory shackles, and the rich encouraged to get richer. Any excess would trickle down to the poor.

When the inflation rate shot up to 30 percent a month after the budget was announced, those policies came under fire. At a convention, the old guard demanded that Gandhi reaffirm his commitment to socialism. Not having the stomach for a fight on this fundamental issue, he gave in.

The crucial issue facing the Prime Minister is how to deal with the Sikh separatists in Punjab. The government has oscillated between appeasement and toughness. On one hand, detained Sikh leaders were released, an investigation was launched into the anti-Sikh riots last November and economic concessions were granted to Punjab. On the other, the army continues its repression of the Sikhs, exacerbating their sense of alienation and intensifying their desire for vengeance for the Golden Temple massacre.

Sikh terrorists have the advantage of choosing the time and place of their attacks. A series of bomb blasts last month in northern India sent chills through the Indian establishment. When the Federal Bureau of Investigation uncovered a plot to assassinate Gandhi during his U.S. visit, paranoia set in. Antiterrorist legislation was hurriedly passed, permitting the government to place further curbs on civil liberties. Yet such measures have little impact on the Sikhs' religious fervor and their sense of injustice, and terrorism continues to exert a strong appeal for their young people.

The Punjab issue has even influenced foreign policy. Efforts to improve relations with India's neighbors have been put off because of fears that the terrorists have international support, particularly from erstwhile enemy Pakistan. Washington's continued arming of Gen. Zia ul-Haq has alarmed the Foreign Office.

Rajiv Gandhi is like a rookie baseball player who started the season with a bang but has fallen into a slump. On his recent Moscow road trip he recovered some of the old luster. Will he return to form in Washington? HARISH KHARE

Harish Khare is assistant editor of The Hindustan Times *in New Delhi.*

Stop the Cruise

International Days of Protest against the escalating nuclear arms buildup at sea, especially the deployment of sea-launched Tomahawk cruise missiles, are being held from June 1 through June 15 in twelve countries, including Japan, the Philippines, New Zealand, Italy, Norway, England, Scotland and Denmark, as well as in thirteen U.S. cities. Some of the U.S. actions focus on the Navy's plan to choose four home ports for its nuclear-capable ships from a group of metropolitan harbors including New York City; San Francisco; Everett, Washington; Long Beach, California; Honolulu; and various cities along the Gulf Coast. Long Beach seems to be the de facto site for the battleship New Jersey, and New York has recently been approved by the Navy as the permanent base for a seven-ship fleet led by the refurbished battleship Iowa. That armada will be capable of carrying hundreds of nuclear-

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tipped sea-launched cruise missiles, each with fifteen times the power of the bomb that destroyed Hiroshima [see "Unsafe Harbor," *The Nation*, August 18-25, 1984].

Among the protest activities planned in New York: on June 8, demonstrators were to link arms to form a human chain across the Verrazano Narrows Bridge, symbolically closing the mouth of the Hudson River to nuclear-armed ships. Mobilization for Survival initiated a campaign to place on the November ballot the question of whether city subsidies should go to the proposed base. More than the 30,000 signatures required have been collected. The going won't be easy, since state law severely restricts even local referendums, but organizers see the campaign as a way to reach millions of New Yorkers. A victory in November would dismantle the argument that the opposition to a nuclear harbor comes only from fringe groups. In San Francisco, too, opposition is growing. A majority of the city's Board of Supervisors voted to scuttle the plan to harbor the battleship Missouri there, although Mayor Dianne Feinstein vetoed the resolution.

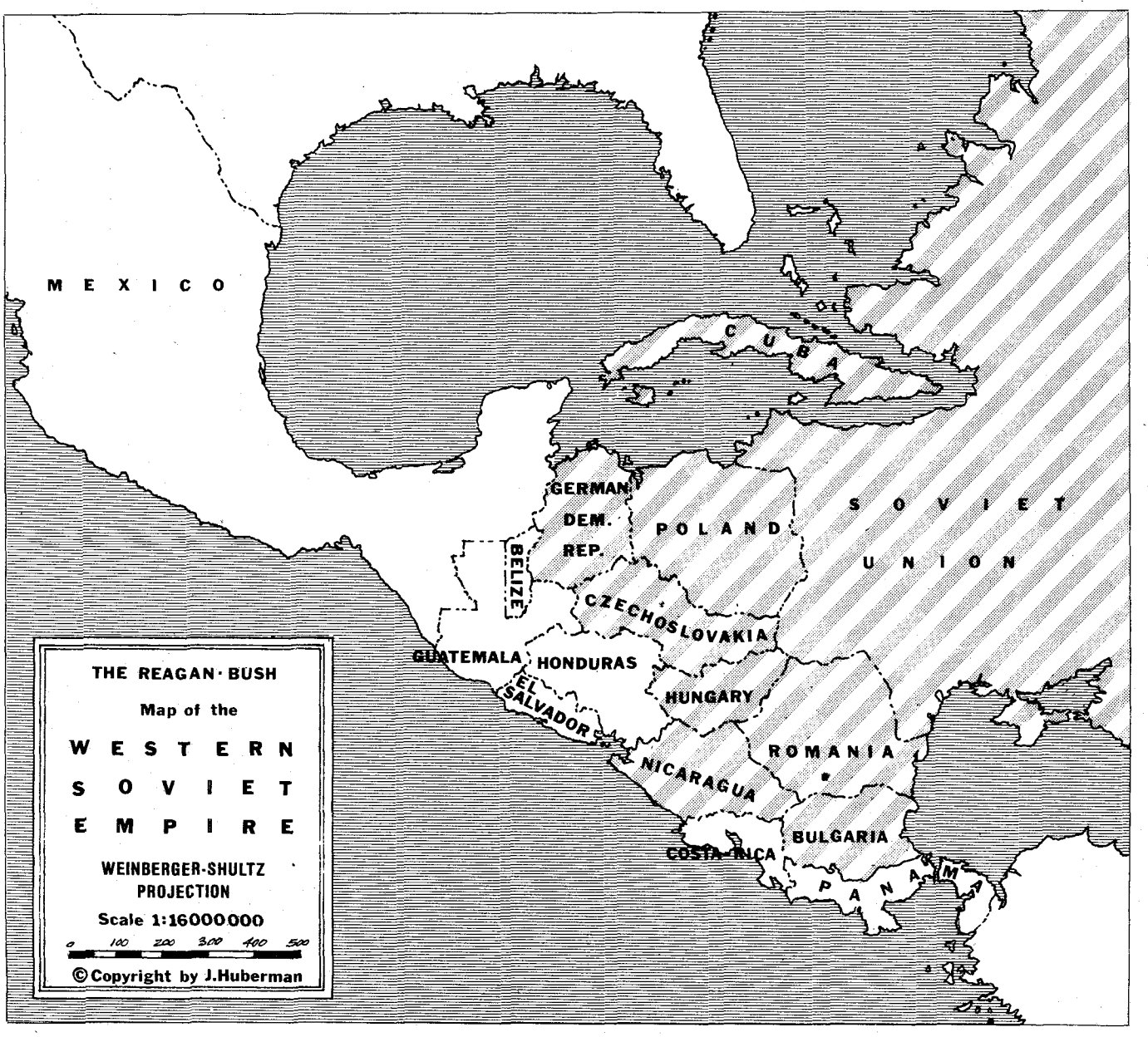
The U.S. protests focus on more than the threat to the residents of the American cities chosen as home ports. They provide a chance for people to make an important contribution in their own communities to stopping the arms race.

TOM DELUCA

Tom DeLuca is program coordinator for Mobilization for Survival of New York.

Cold War Cartography

JACK HUBERMAN



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BEAT THE DEVIL.

The Second Time as Tragedy

Thirty-one years ago this week, the Central Intelligence Agency engineered the overthrow of the government of Jacobo Arbenz Guzmán, the second freely elected president in Guatemalan history, and thus inaugurated the succession of blood-drenched regimes that have flourished since. On June 4 and 5 of this year, *The New York Times* ran articles by Bill Keller and Joel Brinkley, respectively, which reported that military preparations for a direct U.S. invasion of Nicaragua are complete, that the overthrow of the first freely elected government in that country's history would be as easy as "falling off a log" and that the invaders would be greeted with open arms by a majority of the people. The C.I.A. had similar expectations of a joyful welcome before the Bay of Pigs invasion of Cuba in 1961. Other stories over those two days discussed the pretexts for such intervention: the arrival in Nicaragua of "destabilizing" weaponry, incursions into Costa Rica and Honduras, and so forth.

That the National Security Council (which has now taken over from the C.I.A. as supervisor of operations against Nicaragua) and the Defense Department are eager to discuss openly their plans for invasion could be construed as a gambit in the Congressional maneuvering over funding for the *contras*. The intention in the longer term is to begin mentioning the unmentionable and thinking the unthinkable, thereby placing it squarely on the national agenda. "If" becomes "when." In interviews, Secretary of State George Shultz has been confiding optimistically that one invasion scenario involves dropping U.S. forces en masse on Managua, which would install and immediately recognize a *contra* government. That is more or less how Carlos Castillo Armas was installed in Guatemala thirty-one years ago. It should be recalled that the pretext for the overthrow of Arbenz was arms shipments from Eastern Europe. Little has changed—except that the Eisenhower regime was somewhat more circumspect in disclosing its intentions.

Turkish Delight

One of the richest delights of recent times was the opening day of the show trial in Rome, designed to implicate Bulgaria and the Soviet Union in the attempt to kill the Pope. Mehmet Ali Agca said something even Claire Sterling could not claim to have confirmed independently. He said he was Jesus Christ, and in case anyone missed the point, he said it again the following day, along with other ravings about the three secrets of Fátima. In Western discourse these days, the statement that you are God is among the few, if not the only, remarks taken as de facto evidence of lunacy.

The New York Times, whose sponsorship of Sterling has helped it become one of the prime salesmen for the K.G.B. plot to assassinate the Pope scenario, did its best to break gently to its readers the tidings that the only witness to the famous connection is a lunatic. John Tagliabue, a member of *The Times*'s team at the trial, noted Agca's claim to divinity in his second paragraph but hastened to stress in his third that Agca had given a "measured" explication of pre-assassination chronology. There are hundreds of examples of Agca's abnormal relationship to reality, most of them ignored by the Western press, and it will be interesting to see whether his claim to divinity will also be quietly forgotten amid dutiful phrases about his "uncanny memory for detail," "convincing testimony" and the like.

Such are the workings of cognitive dissonance that Sterling and the others will no doubt take Agca's statements as fresh and convincing evidence of the master hand of the K.G.B. Why else would Agca, a devout Moslem, identify himself with the Judeo-Christian God unless the K.G.B. had planned for him to say he was God, thereby discrediting himself and by implication the Pope, too?

Since we may reasonably assume that the trial will not produce much in the way of truth, anyone wanting an excellent dissection of the K.G.B./Bulgarian fantasy and the concoction of the plot as black propaganda by Western intelligence agencies should get *Covert Action Information Bulletin #23*. The entire issue, written by Frank Brodhead, Howard Friel and Edward Herman, is devoted to the affair. If you can't find a copy—it came out this spring—write to C.A.I.B., Box 50272, Washington, DC 20004. Just out in France is *La Filiere*, by Christian Roulette, which asserts that the assassination attempt was entirely a Turkish, fascist affair. Sterling, who is attacked in the book, has threatened to sue. It will be interesting to see if she dares go beyond her normal bluster and takes the Frenchman to court. Free Antonov, prisoner of conscience, now!

Rat Poison

"They [the Sandinistas] hate America. This is understandable given their limited education and their years spent in exile, in prison, or in the hills battling *what they perceived* as an American-backed dictatorship."

So wrote William Shannon in *The Boston Globe* on May 8. Note particularly my emphasis.

On the topic of Nicaragua, those who assume that the "Western diplomatic observer" invariably cited by journalists visiting that country is the U.S. Ambassador should know that this is not always the case. Richard Owen, who runs the British mission in Managua, has long been conscientious in inviting journalists to pleasant lunches and then dropping background comment damaging to the Sandinistas into the notebooks of his grateful guests, who, because they are for once not taking dictation from a U.S. diplomat, gladly shovel Owens's disinformation down the gullets of their unwitting readers.

In a recent interview with Archbishop Obando y Bravo's number-two, Msgr. Bismark Carvallo, Jonathan Steele of the British newspaper *The Guardian* demanded examples of the claim of totalitarian persecution of the church by the Sandinistas. The monsignor pondered a moment before replying, "They've made education compulsory, and won't let people charge for it, which is anticlerical, and they

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teach Darwinian education in the schools, which is atheist indoctrination." Incidentally, Carvallo is famous throughout Nicaragua for having been photographed by Tomás Borges's diligent security forces, racing with no clothes on from the house of a woman with whom he had been conducting rites of an intimate nature, pursued by the irate husband.

The Duarte Whitewash

Still feeling squeamish from research into the aerial war in El Salvador, I turned to *The Washington Post* and *The Miami Herald* and found lengthy pieces on President José Napoleón Duarte's triumph, the turning of the corner, El Salvador's new dawn and so forth. *The Times* for June 2 ran an article by James LeMoyne on Central America's refugees which did not once mention that most of them are fleeing their homes because of terror supported and often organized by the United States. That is like discussing the problem of the homeless in Bangladesh without mentioning the cyclone.

The perils of reporting in El Salvador do not encourage diligent inquiries into massacres. A U.S. journalist who has been exhibiting such industry recently thought it time to move to Managua when a death squad in San Salvador started marching about in front of his house and on his roof and when his driver disappeared, presumed murdered. Nevertheless, the Duarte cult has been vigorously sustained in the U.S. mainstream press from the start, although the death squads were at their worst in his first term and the aerial war has risen to a climax in his second.

Snuffout Journalism

One way of containing protest is to ignore it. In the last two weeks of April, Cornell University saw the largest protests in its history—far larger than those of the 1960s. There were 1,050 arrests of students, staff members and faculty protesting the complicity of the university with South African apartheid. On May 1, in an unprecedented rebuff to the university administration and trustees, the assembled faculty voted 323 to 72 for total divestment of stocks in companies doing business in South Africa. None of this received full coverage in the national press. The trouble with Cornell was that the demonstrations were peaceful. As soon as some violence comes along the university will find itself in the headlines and in the inevitable editorial deploring hooliganism and urging peaceful protest.

On February 25, Clergy and Laity Concerned held a press conference in Washington to announce an open letter signed by more than 300 national and regional religious leaders, calling on the Administration to adopt a new policy toward South Africa, including economic sanctions. The signatories represent considerable influence in American life, but the press did not show. U.P.I. sent an intern. No one was sent by *The Washington Post* or the networks, which rush to get quotes from Jerry Falwell and friends. Nothing appeared in the mainstream media except a brief notice in *The Times*.

In the Falwell Framework

For those who chafe at the anti-Christian timbre of this column, I offer an extract from an interview with Israeli Knesset member Shimon Ben-Shlomo by Amnon Levy in *Hadashot* for March 8. Ben-Shlomo is a member of the Sephardic ultraorthodox Shas Party and a member of the Knesset Committee for Foreign and Security Affairs, though religious convictions prevent him from reading newspapers or listening to the radio.

> "Do you see a possibility of punishment by stoning today?"
>
> "What do you mean? We hope, expect and pray that God should bring back his people Israel in repentance."
>
> "Would you be prepared to stone to death a good, honest man who has only committed the crime of driving a car on the Sabbath?"
>
> "There is no such thing. He stones himself to death. I only fulfill the command of God, even if it were my brother."
>
> "Would you stone to death your brother for driving a car on the Sabbath?"
>
> "Sure. If he was indicted in religious court and sentenced to death by stoning, we all have to stone him. . . . It is the best for his soul. The whole life in such a person in the existing reality is death and we give him life by stoning him."

Two Horsepersons of Abe's Apocalypse

One view of the transfer of the dread John Vinocur, formerly Paris bureau chief of *The Times*, to A.M. Rosenthal's vestibule as his assistant is that he is in a holding pattern for the post of foreign editor following angry words between Rosenthal and the present foreign editor, Warren Hoge. On this account, Hoge was not enthusiastic about Rosenthal's hiring of Shirley Christian, whose best-known achievement in recent years has been the accusation that reporters such as *The Times*'s Alan Riding and *The Washington Post*'s Karen DeYoung "lost" Nicaragua by failing to disclose the fact that the insurgent Sandinistas were Commies. Christian's Red-baiting had a distinctly chilling effect on many correspondents in Latin America. Riding is now *The Times*'s man in Brazil. His predecessor was Warren Hoge.

True

"The revolution advances like a bus, with its difficulties. When it changes speed, there are some who fall off. That's natural. . . . So we say that the petty bourgeoisie is always pulled between two interests. It has two books. On the one hand Karl Marx's *Capital*, on the other a checkbook. It hesitates: Che Guevara or Onassis? It is necessary to choose." Those excellent sentiments were expressed by Thomas Sankara, chair of the National Council of the Revolution and President of Burkina Faso (formerly known as Upper Volta), in the course of an interesting interview given to Ernest Harsch in Ouagadougou and published in *Intercontinental Press* on April 29, which is available biweekly from 410 West Street, New York, NY 10014.

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ARTICLES.

INCARCERATION INC.

The Downside of Private Prisons

CRAIG BECKER AND AMY DRU STANLEY

"Punishment for Profit," "The Corporate Warden," "Incarceration Unlimited." With these headlines, business journals have proclaimed a new opportunity for venture capital: criminal punishment. From prison financing to prison management, business has entered the corrections field. "There's a whole new industry developing," says *Barron's*, "from the unlikely meeting of pinstripes and prison stripes."

More than business interests are at stake in the increasing resort to the private sector to finance, service and even run state and Federal correctional institutions. Senator Arlen Specter calls this trend "the major unexamined new social policy of the 1980s," and held hearings on the subject before a subcommittee of the Senate Appropriations Committee last month. It is also high on the agendas of politicians on the far right. In his current bid for the Republican nomination for lieutenant governor of Virginia, political fund-raiser Richard Viguerie has endorsed the transfer of the state's entire penal system to private control.

Prisons are big business. Last year, Federal, state and local governments spent a total of $10 billion on corrections; Federal and state prisons house nearly 450,000 inmates; local jails hold over 200,000. The prison population has doubled in the past decade. Penal institutions are more than 10 percent above capacity, and more than two-thirds of them are under court orders to ease overcrowding.

Despite the states' growing desire to place people behind bars and popular demand for tougher sentences, taxpayers have been unwilling to pay for the prisons they want to fill. That contradiction has created an opening for private capital. With state governments expected to spend $5 billion on construction of new prisons over the next four to five years, brokers have devised lease-purchase agreements, a new form of financing prisons that is attractive to investors and public officials. Capital to pay the construction costs is raised by private offerings, and the facility is leased to the government, which acquires title when the term is up. The interest on these "certificates of participation" is tax-exempt, and the investment is secured by the inmates themselves, since default would lead to their eviction. As a Miami businessman boasted to *Financial World*, "It is the only real estate investment where you're guaranteed 100 percent occupancy—at least." Finally, lease-purchase deals offer a way of bypassing taxpayer opposition. After voters in New York State rejected a $500 million bond issue for a prison in a 1981 referendum, the Legislature authorized the Urban Development Corporation to float bonds and begin construction. Citizens' groups sued the state, arguing that the measure deprived the public of its constitutional right to vote on the creation of state debt. The State Supreme Court, however, dismissed the suit, holding that taxpayers lack standing to contest the matter.

New York Senator Alfonse D'Amato has sponsored legislation to enhance the attractiveness of lease-purchase deals. His Prison Construction Privatization Act of 1984, currently in committee, would permit prison financiers to claim investment tax credits and accelerated depreciation. D'Amato contends that the bill would "unleash private capital" to build $1.5 billion worth of prison space for 50,000 inmates. "The private jail market is ripe," *Barron's* claims. "And it's the brokers, architects, builders and banks—not the taxpayers—who will make out like bandits."

Financing prison construction is only one facet of private interest in the corrections field. In thirty-nine states and the District of Columbia, private firms provide services ranging from job training to meal preparation within publicly managed prisons. Several of these companies are now preparing to own and operate penal institutions. Hundreds of halfway houses for prisoners are already managed by private groups. According to the Justice Department, six states have contracted with private firms to operate juvenile detention facilities. The Federal government spends $21 million a year to house 3,200 inmates, largely illegal immigrants, in 300 private institutions. An analyst at the accounting firm Touche Ross expects a flurry of public offerings for jail management companies within the next two years.

Major corporations whose public images are hardly those of private jailers are doing business in incarceration, though some are involved only indirectly. E.F. Hutton, Merrill Lynch, Lehman Brothers Kuhn Loeb and Shearson Lehman/American Express have all orchestrated lease-purchase deals. Shearson Lehman claims to have arranged over $350 million in corrections financing in the past three years. Other corporations, however, are intimately involved in penal management. One of the firms, Control Data, owns a large interest in City Venture, which until recently sold vocational training programs to prisons. In 1982, Control Data bid on a contract to run a women's prison in Minnesota and raised $15 million to build and staff the institution. The deal fell through, however, when state officials decided to run it themselves. In January 1982, the corporation formed a corrections systems division, managed by Richard Mulcrone, former chairman of the Minnesota State Corrections Authority.

Another firm, RCA Service Corporation, operates Weaversville Intensive Treatment Unit in Pennsylvania, a facility for juvenile delinquents. "We plan to pursue actively this

Craig Becker is a labor lawyer with Kirschner, Weinberg, Dempsey, Walters & Willig in Washington. Amy Dru Stanley is working on a dissertation on U.S. social and legal history at Yale University.

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type of business using Weaversville as a model," says Al Androlewicz, RCA vice president for education and human services. "Weaversville was once viewed as a one-shot deal, but we see now that times are changing."

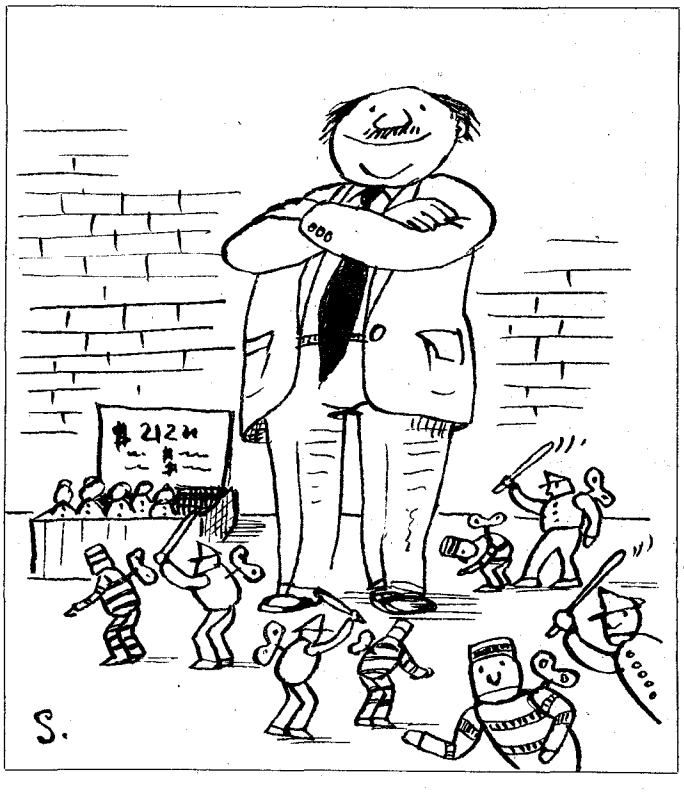
The largest of the private operators, Corrections Corporation of America, was formed in 1983 by Thomas Beasley, a Tennessee entrepreneur involved in real estate, insurance and Republican politics. The venture was funded with $10 million raised largely by a Nashville venture-capital firm, Massey Burch Investment Group, which also launched a thriving private hospital corporation. Two former state corrections officials are vice presidents of the company, T. Don Hutto, former Commissioner of Corrections in Arkansas and Virginia, and Travis Snellings, former budget director of Virginia's Department of Corrections. Maurice Sigler, former chair of the Federal Parole Commission, serves on its board of directors. They operate two detention facilities for the Immigration and Naturalization Service and a treatment center for the Federal Bureau of Prisons.

Hutto's record with the Arkansas prison system demonstrates his approach to prison management. In 1978, while he was Commissioner of Corrections, the U.S. Supreme Court ruled that the state's entire penal system constituted cruel and unusual punishment. In an unwitting but remarkable forecast of Hutto's career, the Court found that he and his assistants "evidently tried to operate their prisons at a profit." Inmates were required to work on the prison farms ten hours a day, six days a week, often without suitable clothing or shoes, using mule-drawn plows and tending crops by hand. Sometimes they were forced to run to and from the fields. Punishment for minor misconduct included lashing with a wooden-handled leather strap five feet long and four inches wide and administering electric shocks to "various sensitive parts of the inmate's body." The trial court characterized the prisons as "a dark and evil world completely alien to the free world."

Numerous smaller firms are also competing for private corrections contracts. Behavioral Systems Southwest, founded by Ted Nissen, a former official of the California corrections system, runs small detention facilities in Arizona, Colorado and California and has annual earnings of $6 million; Palo Duro Private Detention Services, run by T.L. Baker, former sheriff of Amarillo, Texas, has contracted with the Bureau of Prisons to house illegal aliens. Buckingham Security of Lewisburg, Pennsylvania, is negotiating the most ambitious deal, a contract with eight states to house inmates in a maximum security prison to be built near Pittsburgh. Buckingham is run by Charles Fenton, who served as chief warden at three major Federal prisons, and his brother Joseph, a Pennsylvania businessman. In 1980, a Federal jury found that as warden of the Lewisburg penitentiary, Charles Fenton had inflicted cruel and unusual punishment on two inmates, beating them with ax handles while they were handcuffed and shackled. The jury refused to award the prisoners damages, on the ground that Fenton acted in self-defense.

While entrepreneurs seek profits in private prisons, public officials claim they are more economical and efficient. Corrections Corporation charges the I.N.S. $23.84 per prisoner per day to operate a facility in Houston, compared with the $30.26 it costs Federal facilities. Palo Duro has offered to house Federal prisoners for $22 to $27 each per day; the Bureau of Prisons spends $35 a day. One way to hold down costs is not to build new facilities. Behavioral Systems houses prisoners in four converted motels surrounded by barbed wire. Other economies are less visible. Major savings come from reduced labor costs. Private prisons need not abide by Civil Service hiring and promotion regulations or provide pensions and other benefits. The firms provide minimal job training, and not one is unionized. As Hutto told *State Legislatures* magazine, "Government is inherently wasteful. . . . Every time you want something, you have to go through a complex political process."

The trend toward contracting out detention coincides with the growing support for turning a profit on prison labor. For two centuries penal theorists have noted the systematic relationship between criminal punishment and factory discipline; now the aim is to unite punishment and production into one institution. Since 1981, Chief Justice Warren Burger has campaigned to convert prisons into "factories with fences." Burger advocates the repeal of Federal and state laws that restrict the sale of prison-made goods—"walls of economic protectionism," as he put it in a speech last summer at George Washington University. The Federal statute barring the interstate sale of such goods has already been amended to allow seven "pilot projects." Florida plans to transfer all fifty-six of its prison industries, which had total sales of $22 million in 1981, to private hands. In 1982, Prison Rehabilitation Industries and Diversified Enterprises (PRIDE) assumed control of the first such business, the printing operations in Zephyrhills Correctional



DRAWINGS BY J-C SUARÈS

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Institution. Jack Eckerd, a millionaire businessman and head of PRIDE, explained, "The purpose of PRIDE is to make prison industries and their products more profitable." John King, former Secretary of the Louisiana Corrections Department, says Burger's proposal would transform prisoners from "a liability into an asset." As Secretary, King oversaw the Angola Penitentiary where 4,747 prisoners pick cotton, harvest corn and cultivate soybeans and other crops. According to King, "The principles of management are the same whether you're making chocolate-chip cookies or incarcerating people."

Private prisons intersect with the collapse of public welfare services and the trend of "privatization," the performance of public functions by private business. It also coincides with the move toward "deinstitutionalizing" state facilities that supervise the aged, retarded and mentally ill. Private corrections originated in institutions where the line between dependence and deviance, between care and punishment, is blurred: halfway houses, juvenile facilities and detention centers for illegal aliens. Now, however, private institutions incarcerate adult offenders serving long-term criminal sentences. That threatens the civil rights of prisoners as well as the power of citizens to influence penal power.

It is a principle central to liberal thought and democratic government that only the state possesses the authority to deprive people of their liberty. The right to punish, wrote Locke, is the essence of political power. In November 1981, the American Civil Liberties Union sued the I.N.S. and a private company that ran a small detention center for illegal aliens, charging that the conditions violated the Fifth Amendment's due process clause. Counsel for the Houston A.C.L.U., Stefan Presser argued that the Constitution does not allow government "to retail out the detention of human beings." Chief Judge John Singleton of the U.S. District Court for the Southern District of Texas held that "detention . . . is the exclusive prerogative of the state." Yet he left unchallenged the delegation of this function to private jailers, finding only that they are subject to constitutional restrictions.

Private operators deny that they wield state powers. Responding to a series of questions put to Buckingham Security by the Pennsylvania Bureau of Corrections in 1984, the corporation's attorney stressed that "the authority exercised by Buckingham's personnel . . . will be purely ministerial." Their only function is to "house and feed inmates convicted under the laws of the States and the Federal Government."

But these private jailers will not simply dispense punishment ordered by the courts; the coercive power of the state will rest in their hands. They will make decisions every day that touch the most intimate concerns and the most basic needs of their charges. Prison managers will distribute "good-time credits" affecting prisoners' chances of earning parole. Yet their main concern will be maximizing profits and minimizing costs.

The contrast between public and private prisons should not be overstated, however. The current system of incarceration cannot be defended as ideal. Although the Supreme Court has said there is "no iron curtain drawn between the Constitution and the prisons of this country," it has been reluctant to intervene in protecting prisoners' rights or enforcing penal accountability, favoring a "broad hands-off attitude toward problems of prison administration."

For the state to abdicate its power of punishment to the lowest corporate bidder will seal off prisons more completely from constitutional and popular controls. It will also sever any connection between justice and punishment, transforming the terms of the debate over the social objectives of incarceration from retribution, deterrence and rehabilitation to productivity and profit. In a letter three years ago to *The Philadelphia Inquirer*, Norman Nusser, who has served seventeen years of a twenty- to forty-year prison term, wrote:

> Corrections is already too much of a business and needs to become less so. Too many people already are making a living from our misery. It is now subsidized sadism. Is our society to put sadism on a profit-making basis? . . .
>
> Look in the financial section of your daily newspaper to see how many points Prison Industries went up today. If there has been a prison riot and $50 million worth of machinery and plant are destroyed, the stockholders will sell out in droves.

Until citizens and public officials recognize that unrestrained expansion of the marketplace will aggravate rather than resolve the crisis in corrections, ingenious entrepreneurs will continue to capitalize on crime. Meanwhile, the debate in the courts and legislatures may soon spill violently into the cell block. □

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CORPORATE CRIME—II

Capitalist Punishment: Some Proposals

MARK GREEN AND JOHN F. BERRY

Last week's article in this two-part series chronicled the prevalence and price of business illegality in the United States, which adds up to a several-hundred-billion-dollar tax on consumers and on law-abiding businesses. That raises the question, Where is the law? Can the law-enforcement system cope with corporate crime?

To understand remedies, we need to illuminate causes. It appears that most business fraud springs more from the imperatives of the corporate bureaucracy than from individual pathology.

Organization theory explains how a complex bureaucracy can take on a life of its own—and how the individuals who work there will do nearly anything to defend and promote it. Since the marketplace is an uncertain place, often the only way to assure stability is to control market forces, which can mean conspiring with competitors or juggling the books. So when managers come under pressure from superiors to meet certain goals, they may choose illegality over failure.

The isolation of top managers in large corporations from both the marketplace and employees also contributes to the potential for illegal behavior. In *Theory of Business Enterprise*, Thorstein Veblen wrote that "honesty is the best policy" in a system of handicrafts and neighborhoods where one personally and frequently sees one's customers. But when industry is carried out on a large scale, Veblen observed, "the discretionary head of an industrial enterprise is commonly removed from all personal contact with the body of customers for whom the industrial process under his control purveys goods or services."

Such pressures and attitudes can produce an ethos of illegality that insinuates itself into a company's culture. There are well-known studies in the literature of criminology that show that ten new boys entering a community with a high delinquency rate are more likely to engage in crime than ten other new boys moving into another community with a low

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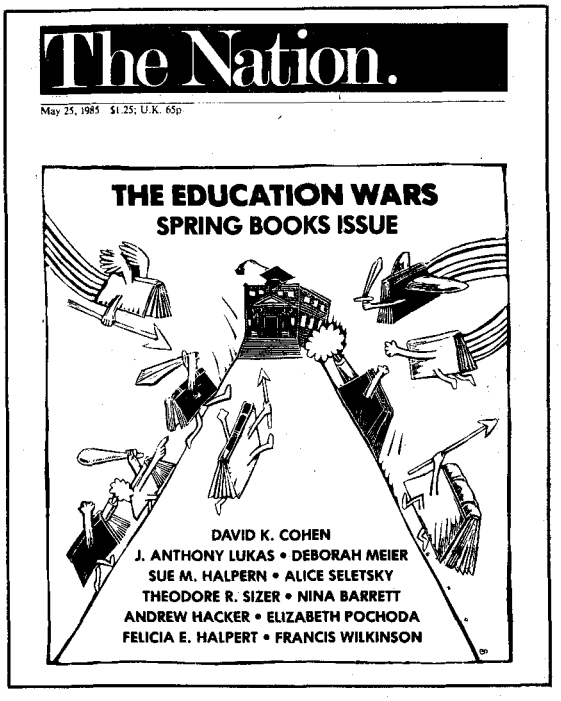
Mark Green is president of the Democracy Project, a public-policy institute in New York City. John F. Berry, previously with The Washington Post, *is managing editor of* Management Report *on ESPN cable network. This article is adapted from their forthcoming* The Challenge of Hidden Profits: Reducing Corporate Bureaucracy and Waste *(William Morrow).* *Copyright ©1985 by Mark Green and John F. Berry.*

THE EDUCATION WARS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delinquency rate. Similarly, if a few top executives put profits before ethics and regard the law as just another market problem, the virus of fraud can spread throughout a company's circulatory system.

Deterring business malfeasance, then, requires law enforcers to penetrate the corporate bureaucracy and instill a sense of individual ethics within the collective enterprise. Instead, both culpable companies and executives have historically enjoyed relative immunity from prosecution or been treated leniently after conviction. As a result, in the words of Woody Guthrie, it is still easier to rob at the point of a pen than at the point of a gun.

Imagine a vigorous, dedicated law-enforcement official who wants to prosecute corporate wrongdoing. He must scale seven separate high walls surrounding a fortress in order to apprehend, convict and punish a suspect sheltered inside.

Wall #1: It is difficult to get laws prohibiting such conduct enacted in the first place. Corporate control over job creation and political action committees makes legislators reluctant to criminalize economic abuses. The 1966 Auto Safety Act, for example, provides no criminal penalties for knowingly manufacturing a dangerous car. Even recent increases in the fines for corporate price fixing, to a maximum of $1 million, are dwarfed by the hundreds of millions in possible gain.

Wall #2: Resources for enforcing existing laws are inadequate. In 1979, the House Criminal Laws Subcommittee calculated that the Justice Department was spending only 5.5 percent of its budget on white-collar crime. The Reagan Administration has reduced the department's allocations for such prosecutions. The number of people assigned to investigate economic crimes by the Federal Bureau of Investigation has been cut by 15 percent. In 1984, the Occupational Safety and Health Administration had only 400 inspectors for 4 million workplaces; statistically, businesses could expect a visit once every eighty years. And despite abundant evidence of extensive illegal chemical dumping, the Environmental Protection Agency had only twenty-four criminal investigators last year. John Dingell, chair of the House Energy and Commerce Committee, says the agency "could probably use four to ten times that number."

Wall #3: Few civil and criminal prosecutions are ever brought against business, especially big business. To take one of several examples in the area of regulatory law, actions by the Securities and Exchange Commission against the largest industrial and service companies have fallen from thirteen a year under Harold Williams, chair from 1977 to 1981, to eight a year under John Shad. When the staff recommended prosecuting Citibank in 1981 for alleged improper foreign bank transactions, the commission refused to bring the case to court because, as John Fedders, enforcement division chief at the time, said in an internal memorandum, the transactions constituted a "standard business judgment" to maximize profits.

Wall #4: Even when they are tried and found guilty, business felons are often let off easily. In the first eighty years of the Sherman Antitrust Act, executives have received prison sentences for antitrust violations in only three cases. It was not until 1978 that a violator of the 1972 Clean Water Act, which makes it a crime to dump hazardous waste into a river without a permit, was sent to jail. (The offender had logged 100 state pollution violations in the course of thirteen years.) In 1978, William Grace and Robert Rowan, then chair and chief executive officer, respectively, of the Fruehauf Corporation, were convicted of conspiring to defraud the Federal government of $12 million in excise taxes. District Court Judge Thomas Thornton sentenced them to community work for eighteen months.

Wall #5: The practice by regulatory agencies of settling civil lawsuits with consent decrees and cease-and-desist orders allows the defendant to say, in effect, he didn't do it but to promise not to do it again. Some 80 percent of all S.E.C. and civil antitrust cases end in this way. As for criminal cases, in over 70 percent of antitrust and stock-fraud indictments, defendants are allowed to plead nolo contendere, which is tantamount to an admission of guilt but usually results in less punishment than a guilty plea or a conviction. A plea of nolo contendere also cannot be cited in later private damage actions.

Wall #6: Even when companies are caught, convicted and fined, the deterrent value is minimal because fines are no more burdensome than traffic tickets. In 1981, Ralston Purina released explosive liquid into Louisville, Kentucky, sewers. The subsequent explosion caused over $30 million in damages but the company was fined only $62,500, for violating Federal clean water laws. The average fine for an OSHA violation in 1983 was about $240. The fine against First National Bank of Boston for violation of the Bank Secrecy Act in an alleged money-laundering scheme was equal to about one day's after-tax profits. General Electric's contractor fraud of the Pentagon cost it a quarter-day of profits.

Wall #7: When businesses are punished, the executives responsible aren't. Sometimes this is because the government just won't indict them. The Meese Justice Department did not charge any of the twenty-five individuals who participated in the E.F. Hutton check-kiting scheme because, a spokesperson said, it "could have taken us two or three years" to prosecute the cases. Also, juries will occasionally convict the company yet exonerate the only executives who could have committed the crime. And should an executive be found guilty and fined, most corporations will indemnify him or her and pay court costs and attorneys' fees. Firing is unlikely. In deciding how to treat convicted officers, the Fruehauf Corporation analyzed what happened to twenty-eight other executives who were implicated in and/or indicted for corporate illegality between 1971 and 1978. In fifteen instances, the executives remained with the firm. So after Rowan and Grace completed their "sentences" for tax evasion, the Fruehauf board reinstated Rowan as chief executive officer and made Grace honorary chair. Or, as a Eugene O'Neill character put it in *The Emperor Jones*, "For de little stealin' dey gits you in jail soon or late. For de big stealin' dey makes you emperor and puts you in de Hall o' Fame when you croaks."

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To be sure, Federal agencies occasionally scale these walls to punish wrongdoers. Recently the E.P.A. fined Union Carbide $3.9 million for illegally withholding for more than four years the fact that one of its products produced skin cancer in laboratory animals. Paul Thayer, former chair of LTV, is now sitting in jail for perjuring himself over insider trading. In the classic case of *Park v. United States*, the Food and Drug Administration and the Justice Department persuaded the Supreme Court to uphold the conviction of John Park, the chief executive officer of Acme Markets, for violating the Food, Drug and Cosmetic Act prohibition against shipping adulterated food. Although Park didn't personally supervise or ship the food, he had received a warning letter from the F.D.A. and failed to insure sanitary conditions in his warehouses.

More often than not, though, justice is not collar-blind. The majority of business executives who think violating the law is ethically wrong comply; but a significant number who cannot resist the possibility of gain without pain do not. For them, crime literally pays, as consumers and communities end up paying the bill.

A criminal-law system originally designed for prosecuting individuals has little relevance to wrongdoing by bureaucracies. The crux of the issue is, How can the law pinpoint individual responsibility within a collective enterprise? The beginning of an answer is that the purpose of punishment should not be vengeance but deterrence. As Lord Halifax said, "Men are hanged not for stealing horses but that horses not be stolen." Similarly, business fraud should be adequately punished so that consumer wealth and health are not "stolen." Here are several steps to help deter such theft—steps which companies could adopt voluntarily or which Congress could legislatively impose.

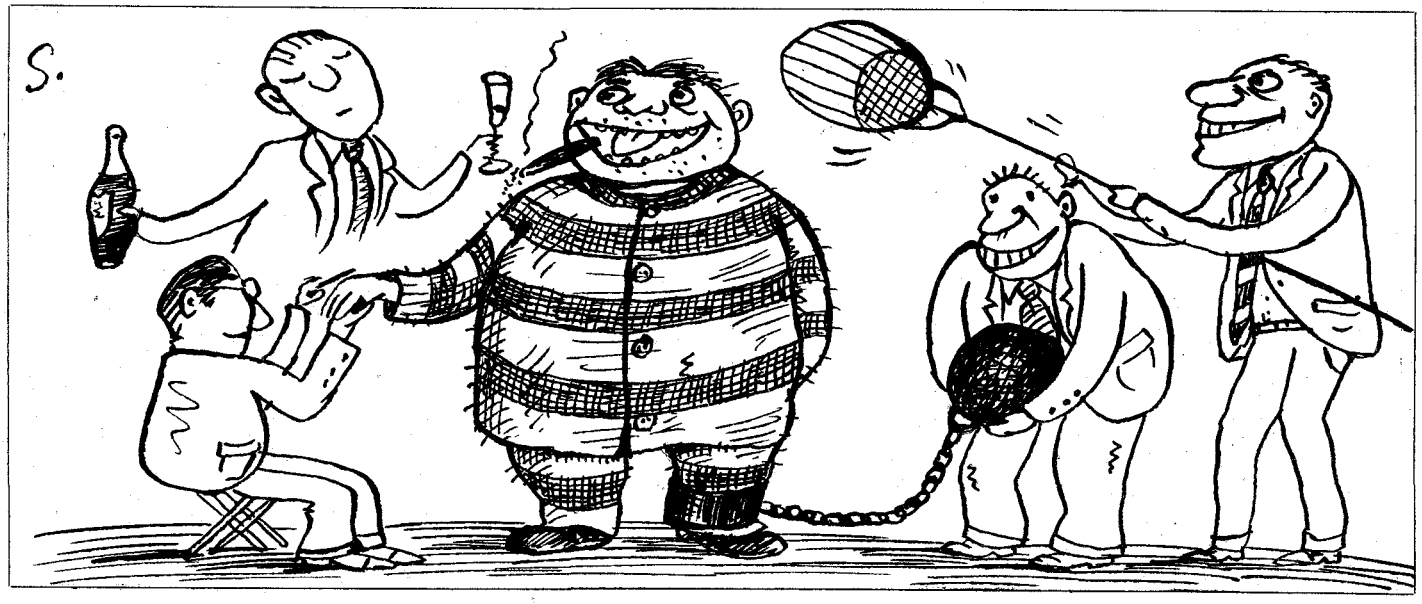
Establish corporate codes of conduct. Because law-abiding behavior must start at the top, management should create codes of conduct to define improper activities and should back them up with sanctions. To be effective, the codes should have at least two components: clear definitions of what is not permissible in controversial areas, such as conflicts of interest, antitrust, insider trading, misuse of corporate assets; and a description of the penalties for employees who violate the code.

Distribute more complete data on business abuse. The Justice Department, the F.B.I. and local authorities should publicize how much they spend on white-collar law enforcement, including a breakdown of the number of investigations and convictions for each category of crime, like price fixing, employee theft, automobile repair overcharges and pyramid schemes. When Federal agencies refer cases to the Justice Department for prosecution, they should provide a formal estimate of the cost and number of victims of each violation. Agencies should publish "compliance" reports which would calculate the level and cost of violations, the resources needed to prosecute them, the conviction rate and any new legal remedies when necessary. The accumulated data should be integrated by one agency and, to educate the public and legislators about the scope of this consumer tax, be published annually as a "Report on White-Collar Crime in the United States."

Establish law-compliance committees. These would be made up of "independent" directors of a corporation who would provide a safe harbor for employees or company counsel to disclose, confidentially, possible violations of the law. Employees and lawyers are more likely to report to an entity created for this purpose than to their managers, who may be the culpable parties.

Provide notice to victims. When sentencing a company for a fraudulent practice, a court should require the defendant to provide notice through the media or the mail to the people possibly injured by its action—say, purchasers of price-fixed refrigerators or minority groups discriminated against by admitted company practice. This approach promotes the twin benefits of deterrence and compensation: companies anxious about their good name are loath to publicize their misdeeds; and potential plaintiffs learn of their victimization and seek compensation or remedies.

Provide restitution to victims. Courts should be able to



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"sentence" convicted companies to pay back their victims, in cash or in kind.

Impose short but certain jail terms on serious offenders. Mark Richards, a seventeen-year veteran of the Justice Department with twenty-one commendation plaques on his office wall from five Presidents, told us, "I'm concerned about dual justice. Why should a ghetto kid who steals a car be put away but a businessman who steals $6 million get to work in a soup kitchen on weekends?" Professor Prakashi Sethi agrees: "The assumption in such jail sentences is that the threat of punishment will lead the top-ranking executive of a corporation to exert pressure on his aides, who will in turn exert pressure on their aides—a kind of trickle-down theory of ethics."

Opponents of jailing first-time business felons, such as California's Judge Charles Renfrew, point out that the public shame of a conviction makes it highly unlikely a culpable executive would engage in economic crime again, or that jail could have any conceivable rehabilitative effect. Those critics fail to distinguish between specific deterrence (will *this* offender do it again?) and general deterrence (will *other* potential offenders do it?). A more rational approach would be to incarcerate those guilty of serious economic offenses for short sentences, since deterrence works adequately if jail terms are brief but certain; to punish responsible individuals as well as guilty companies; and to prohibit felons convicted of offenses that threatened widespread injury from ever holding high positions in business again.

Impose "behavioral sanctions" on lesser offenders. Some white-collar offenses are what lawyers call *malum in se* (inherently bad in all societies, like rape), while others are *malum prohibitum* (bad because the law says so, like violations of oil-price ceilings). For the latter category, prosecutors and judges should develop purposeful alternatives to imprisonment for first-time, nonviolent business offenders. For example, milk adulterators could be sentenced to one year of distributing donated milk to soup kitchens; the owner of an auto repair firm that repeatedly charged for services not performed could provide free (and accurate) diagnostic testing to the community.

Punish supervisors who fail to prevent or disclose the production of hazardous products. Since the knowing production of hazardous products can inflict such widespread and immediate harm—as the Pinto and Firestone tire examples show—the law should impose high standards of care on supervisors. Otherwise, the corporate bureaucracy will continue to suffocate individual responsibility and will instead produce generations of supervisors who are, in Kipling's phrase, "shut-eyed sentries." A supervisor or executive who allows production that leads to the serious endangerment of human life should be criminally culpable. Managers who fail to report serious hazards should also be liable. Punishment for violations could vary from fines to debarment to jail, depending on the degree of recklessness and the risk involved.

Make the fine fit the crime. Because companies can't be imprisoned and executives rarely pay fines, business executives may be tempted to cross the line into crime. But if there's one thing firms and executives understand, it's uninsured, nondeductible financial loss. The criminal code should peg fines to the financial size of the illegal conduct (e.g., sales volume of the affected product); prohibit indemnification of or insurance for convicted executives; and forbid companies to deduct fines from their taxes (permitted by some states). Large firms engaged in large violations would pay a fine befitting the size of their fraud, and individual officers would realize that they can no longer hide behind the company's legal skirts.

It should not be regarded as heroic for business leaders to do well and do good simultaneously—to pursue both profits and ethics. Men like Michael Blumenthal, Najeeb Halaby and Peter Jones have all stood out because they stood up to corporate illegality.

As chief executive officer of Bendix in the 1970s, Blumenthal forbade anyone in his firm to offer payoffs abroad to win foreign sales. Halaby, head of Pan American World Airways during the same period, rebuffed bagmen from foreign governments and from Nixon's re-election campaign committee. "The top guy has to set the ethical standards," he explained. As an officer at Montgomery Ward, Jones figured out a way to stop forty company personnel officers from ignoring equal-pay laws: he put up to $10,000 of their expected bonuses in escrow until they complied. All did.

For managers not so punctilious, the suggestions proposed are necessary restraints on misbehavior. It is time that business officials joined in an effort against white-collar crime because business fraud is antibusiness. As Adam Smith observed in *Wealth of Nations*:

> In the race for wealth . . . he may run as hard as he can and strain every nerve and muscle, in order to outstrip all his competitors. But if he should jostle, throw down any of them, the indulgence of the spectators is at an end. It is a violation of fair play, which they cannot admit of. □

The Pentagon

(*Continued From Front Cover*)

stringent standard than required in criminal prosecutions.

Critics of waste and fraud in Pentagon contracting argue that enforcing those regulations would show contractors that the cost of getting caught defrauding the government outweighs the potential rewards of temporarily getting away with it. Representative John Dingell, chair of the House Energy and Commerce Committee, has called on the Pentagon to debar Electric Boat, a division of General Dynamics accused of charging the government for bogus overhead costs totaling several hundred million dollars. Jeff Hodges, an aide investigating General Dynamics for a House subcom-

Tony Kaye is director of research at the Democracy Project, a public-policy institute in New York City. *A research grant for this article was provided by Essential Information.*

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mittee, says that such an action "would have a tremendous effect" on large contractor fraud. "You can investigate them, you can fine them, the newspapers can expose them, but the only really meaningful thing to them is losing business."

The General Electric suspension was the first time any of the Pentagon's top 100 suppliers had ever been banned. Capt. John Nimitz, chief of the analysis branch of the Army's Criminal Investigation Command, says the Army has collected enough evidence against several contractors to meet debarment standards—"51 percent of the evidence points to a crime"—but it has not taken action. Officials and Defense Department investigators said in interviews that it isn't in the Pentagon's interest to debar major contractors. That is partly because only a few large firms have the capital and expertise to build the sophisticated weapons the Pentagon wants.

Since World War II, the military has increasingly favored procurement of a few sophisticated weapons rather than many relatively simple ones. Major contractors support this high-tech approach because the Pentagon normally pays the cost plus a fixed percentage of profit. Since complicated weapons are more expensive, they are also more profitable. As Gordon Adams, director of the Defense Budget Project, put it, "The contractors have the Pentagon by the short hairs."

While only a few companies can satisfy the Pentagon's sophisticated palate, this does not mean only one company can build most weapons. Nonetheless, contractors compete mainly in the research and development stage. Once the Pentagon chooses a design, it has essentially chosen the company to build it. Thus, for nearly 60 percent of all contracts there is no competition at the production stage. Contractors favor this system because they know they don't have to deliver a lower price than the competition. And even though there is only one winner in a contract award, the losers know that they, too, will eventually feed alone at the Pentagon trough.

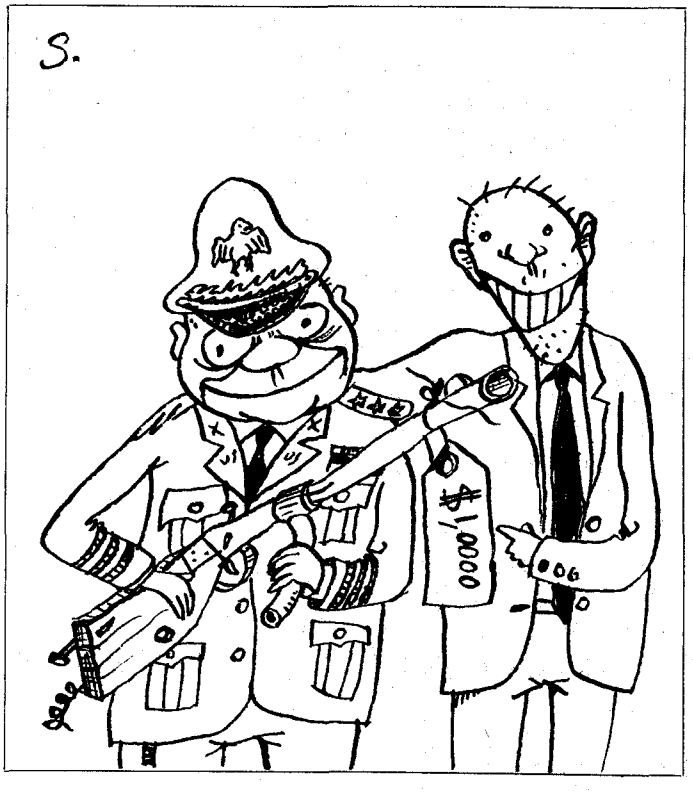
Debarment officials (particularly those in the Air Force) also argue that debarring industry heavyweights penalizes workers for management's greed. The Air Force allows companies to submit an impact statement describing the effects of a proposed debarment on the local economy and work force, and takes it into account.

Until 1983, even small contractors knew that few crimes were serious enough to interrupt the flow of Pentagon contracts. According to a report released in May 1984 by the Defense Department Inspector General, debarment authorities routinely failed to penalize dishonest contractors. The report, covering fiscal years 1981 and 1982, found that 213 cases resulted in only forty-four debarments. Of those, thirty-seven were based on convictions. There were also fifteen suspensions, eight of which were based on indictments. Pentagon investigators did not refer seven companies convicted of fraud to debarment authorities. The Air Force frequently elected not to suspend indicted contractors. It waited nearly two and a half years before suspending Cosmos Engineering after the company was indicted for filing false claims, even though the Air Force had to pay $800,000 to have another company do the work Cosmos failed to do. In May 1981, Portsmouth Paving, Ames & Webb, Contractors Paving, Asphalt Roads and Material, and Ashland-Warren were convicted for rigging bids on eleven Navy contracts. The Navy waited up to thirteen months before debarring the contractors, and three of the bans were eventually lifted "to promote competition," even though the companies had been convicted of restricting competition through bid rigging.

During 1981 and 1982, the Army suspended only one contractor without an indictment, and that action was lifted after a month. Debarment officials often didn't even learn about significant fraud cases until reading about them in the press.

Since 1983, suspensions and debarments have increased significantly. Suspensions rose from 131 in that year to 188 in 1984. Debarments rose from 186 to 266 in those same two years. Even the Navy, which took the fewest actions against fraudulent contractors in that period, more than doubled its suspensions and debarments.

Those increases resulted, at least in part, from several Pentagon initiatives. After the inspector general's preliminary findings circulated in the Pentagon in 1983, then-Deputy Secretary of Defense Paul Thayer issued a memorandum directing debarment officials to suspend contractors without indictments more frequently. His memo also called on those officials to establish a closer working relationship with Pentagon investigators. Debarment authorities were told to suspend or debar contractors within thirty days of indictments or convictions, "wherever such action is appropriate." Debarment staffs in the armed services and the Defense Logistics Agency (D.L.A.), which buys goods used by all branches of the services, have increased.



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The rise in the number of suspensions and debarments may be more public relations than substance, however, reflecting a sensitivity to taxpayers' increasing resistance to spiraling defense bills and revelations of defense contractor fraud. According to a Louis Harris poll last January, only 9 percent of those queried favored a hike in defense spending, compared with 80 percent in February 1980. In March, a *Business Week*/Harris Poll found that "if a defense contractor overcharges the government," 57 percent of those polled believe it "should be barred from getting other contracts."

The Pentagon has responded with a highly publicized but largely ineffective crackdown on major contractors.

§ The day General Electric was suspended, Secretary of the Air Force Verne Orr asked the company for a voluntary $168 million repayment because of excess profits. Orr also wrote to Harry Gray, chief executive officer of United Technologies, asking that the company's Pratt & Whitney division repay the government $40 million in excess profits. "National support for building military strength has been severely battered by public perception that we pay too much for the goods and services we acquire," Orr explained. Both Pratt & Whitney and General Electric refused.

§ On March 5, Secretary of Defense Caspar Weinberger scored points with fraud watchers when he announced a thirty-day suspension of payments to General Dynamics for overhead costs. What he said was less important than where he said it—in a speech to the American Legion opposing cuts in the defense budget. Weinberger told the Legionnaires that all contractors would have to certify under penalty of perjury that their cost claims were legitimate. The Pentagon subsequently clarified Weinberger's directive; division vice presidents would have to certify only that the claims reflected their "actual knowledge."

§ Pentagon Inspector General Joseph Sherick made the front page of *The New York Times* on April 24 when he told the House Oversight and Investigations Subcommittee that forty-five of the Defense Department's top 100 contractors were under criminal investigation, raising the possibility of eventual suspensions. But Sherick has cried wolf before. In July 1984 he said fifteen major contractors would be indicted within months, and none were.

§ Sherick also recommended the debarment of General Dynamics' chief executive officer, David Lewis, and its chief financial officer, Gordon MacDonald. He later urged Secretary of the Navy John Lehman to ban the two executives, plus a third. Lehman refused to do so. Instead he temporarily suspended two divisions of General Dynamics from receiving new contracts. That action will delay the signing of a new contract for a Trident submarine to be built by their Electric Boat division. The Connecticut shipyard is the only one in the country that can build the submarine, and Lehman said he expected to lift the suspension shortly if General Dynamics is not "confrontational and litigious" about the settlement.

Despite improvement in the Pentagon's record on suspensions and debarments, many of the problems noted in the Inspector General's report persist. Debarment authorities in the Army still learn about significant fraud cases in the press. One Army official, who asked not to be identified, says, "There has been a case or two where we have read about it in the newspapers." The same official says the Army takes less time than in the past to suspend or debar contractors after court actions but not within the thirty days called for by Thayer's memo. Deputy Assistant Inspector General Howard Cox, the author of the Inspector General's report, says only the D.L.A. is complying completely with the Thayer directive. He adds that a number of contractors in all three services merit suspension without indictments but continue to do business with the Pentagon.

Many debarment officials point out that an increase in the number of prosecutions of contractors by the Justice Department has contributed more to the higher rate of suspensions and debarments than anything the Defense Department has done. Last year, the Economic Crime Council made defense procurement fraud "one of the Justice Department's major priorities," according to Donald Foster, a deputy chief of the department's criminal fraud section. In 1982, the Pentagon and the Justice Department set up the Defense Procurement Fraud Unit (DEPFU). William Carroll, who reviews all D.L.A. actions against contractors, credits these initiatives for the increase in suspensions and debarments. "The big difference is coming because of more criminal investigations. The Department of Justice is committing more resources."

Because debarment staffs remain small despite recent increases, it is easier to wait for court or grand jury actions before sending out debarment and suspension notices. Nonetheless, this reliance on criminal prosecution defeats the purpose of the "preponderance of evidence" standard, which should make it easier to establish wrongdoing in a debarment or suspension proceeding than in court. "If you're going to rely on the Department of Justice to clean your dirty laundry," says Cox, "you're not going to get anywhere." He adds that his office is "hounding" debarment authorities to issue more suspensions without indictments.

Cox has good reason not to wait for Federal prosecutors to clean up Pentagon contracting. Although U.S. attorneys are prosecuting more procurement fraud cases, they had nowhere to go but up. A study in 1981 by the General Accounting Office found that the Justice Department declined prosecution in over 60 percent of the fraud cases it received. Prosecutors are reluctant to take them because they are complicated and difficult to prove. A. Ernest Fitzgerald, a contract auditor and well-known Pentagon whistleblower, notes that "low-level investigators [in the Defense Department] regularly say that referral to Justice is the best way to kill an investigation."

Debarment officials sometimes make the circular argument that they don't suspend or debar large companies to deter future fraud because those firms don't get indicted or convicted. Because fraud schemes by large firms are extremely complicated, debarment officials say they have to depend on court actions to amass the evidence for suspensions or debarments against them. But waiting for the

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Justice Department to act means little will be done, given its poor track record against major contractors.

The Justice Department usually settles out of court with those contractors rather than going to trial. General Electric's guilty plea last month is only the most recent example. Because of a November 1982 agreement not to prosecute Rockwell International for allegedly billing the space shuttle program for nonreimbursable costs on the Air Force's Global Positioning Satellite System, the department refused to prosecute when other evidence of fraud subsequently came to light. Cox said that the Justice Department failed to consult the Air Force adequately in drawing up the settlement.

Beyond the individual examples of weak enforcement, there is the institutional weakness of DEPFU. The unit was created to "deter future fraud by conducting nationally significant" cases against corrupt contractors. Senator Charles Grassley has denounced it in recent hearings for failing to prosecute large contractors. In its three years, DEPFU has gone to court only twice, and Grassley contends it prefers to enter into lenient settlements rather than face the high-priced legal talent representing defense contractors. "Their attitude," says a staff member on the committee conducting Grassley's investigation, "is, Let's go for the quick and easies. Going into the courtroom is a no-no. When faced with the hotshot downtown lawyers, settle."

Morris Silverstein, who heads the unit, contends that his attorneys have settled most cases out of court because "there is no such thing as an ironclad trial." He says that proving a contractor has acted "with intent," rather than by "mistake or inadvertence" is far more difficult than critics maintain. "A prosecutor has to believe he will prevail. He has to believe beyond a reasonable doubt that the contractor has no good-faith position at all."

Grassley responds that prosecuting major cases would deter large contractors from defrauding the government. "In theory, the fraud unit is a powerful club against defense fraud. In practice, it is more akin to a flyswatter. My concern is that the contractors know it, especially the big ones, and they're laughing all the way to the Treasury."

Ultimately, the services aren't interested in using the Justice Department to debar major contractors. The largest Pentagon supplier prosecuted by DEPFU has been the Sperry Corporation, which in 1983 pleaded guilty to three felony charges of falsifying $325,000 in bills to the Air Force. In return for $850,000 in fines and damages and the purchase of a $1 million computer system to keep Sperry's labor bills in order, all charges were dropped. Federal District Court Judge Miles Lord denounced the settlement as "unconscionable." "They're charging welfare chiselers and they're going to jail for $40 chisels or $200. Here goes several hundred thousand dollars, and no individual is responsible for it. It disappears into the deep, dark recesses of corporate power."

Even if the unit had obtained a conviction, the Air Force would not have banned Sperry. Ira Kemp, who heads the Air Force debarment and suspension board, said that early

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in the settlement negotiations the service made it clear to DEPFU that it had no interest in cutting off Sperry's $1.4 billion in Pentagon business. "It serves no useful purpose to debar Sperry, if they can be determined a responsible contractor," he said.

Howard Cox and Richard Kaake, counsel for the D.L.A., point to the settlement reached with National Semiconductor in August 1984 as a model of how the Pentagon can deter fraud without debarring major contractors. The company, indicted for falsifying test data for microchips, held out against a settlement. "They tried to get cute with us," says Cox. When the agency made good on a threat to suspend the company, an agreement was signed. The firm agreed to pay the costs of identifying the faulty computer chips. Several employees were shifted to nondefense work, and the company formed an independent office to monitor quality on defense products.

Defending the agreement, Kaake claimed that a National Semiconductor vice president had been fired. That action would deter executives at other companies, he argued. If the D.L.A. had debarred the firm after all the concessions it made, Kaake maintained, "we would be cutting off our nose to spite our face. The vice president for quality assurance lost his job. Every vice president for quality assurance knows that he's responsible for the product. Who's going to hire him now?" No one has to. National Semiconductor says the vice president is still on the job.

Before 1983, small contractors guilty of criminal conduct routinely escaped sanctions because the Pentagon simply didn't care if it dealt with dishonest firms. Small contractors now can evade suspension if they are the only source for an item. Ira Kemp says he recently decided not to ban Alpha Industries after a company manager was indicted for attempted bribery, opting instead for a settlement in which the company fired the manager and paid a fine.

The company is the sole source of high-tech electrical equipment used in B-1 bombers and F-16 fighters. That fact had "absolutely not" affected his decision, Kemp insists. But last year the Air Force banned a company that was not a sole-source supplier, for essentially the same offense. Electro-Methods, which competes with Pratt & Whitney for spare-parts contracts, was briefly suspended when its owner, Albert Stanger, was indicted for bribery. The suspension was lifted when Stanger disassociated himself from the firm's management.

Debarring the head of a major defense firm might be the best deterrent against fraud at the Pentagon's disposal, given its dependence on large contractors. Debarring the head of General Dynamics instead of the corporation might have deterred fraud by other large suppliers. And while Lewis, who is 67, could have concluded that crime paid rather well in his case, his successor, knowing he would be hit with such a stern penalty, might avoid sharp practices. Unfortunately, the Navy squandered the chance when it decided to hold up General Dynamics' contracts temporarily. The next day, Lewis announced he would retire by the end of the year. The timing suggested that the Navy had forced Lewis out. In fact, General Dynamics had informed the Navy of Lewis's impending retirement several days before Lehman imposed sanctions on the company. Moreover, Lewis told *The St. Louis Post-Dispatch* last year that he had intended to retire—before the allegations against General Dynamics began making headlines.

As long as the Defense Department awards a majority of contracts to a few sources without competition, the Pentagon will invariably choose deterring the Russians over deterring fraud.

The choice needn't be so stark. If more than one contractor were to produce each of the major weapons systems, banning the supplier wouldn't mean banning the system. Dual-source contracts increase competition and often bring prices down. If used widely, they would also insure that no firm is so essential to the Defense Department that it effectively has a license to steal.

The Pentagon isn't likely to change the present system any time soon, however. In 1981, Congress requested that the Defense Department award contracts to more than one company whenever possible. So little was achieved by that request that the Senate voted last month to require the Pentagon to use at least two sources for all contracts unless the additional source would increase costs. Ironically, one of the few major dual-source contracts engineered by the Pentagon was to General Electric. The Defense Department funded the company's research and development for an engine to compete against Pratt & Whitney's F-100, and then split the engine contract between the two companies.

Clearly, the Pentagon should choose to adopt the Northrop Corporation's F-20 fighter jet if it wants to get serious about competitive production, not just competitive bidding. Northrop offers the F-20 for $4 million less per airplane than the rival F-16 fighter, built by the notorious General Dynamics. The Air Force is reportedly considering making Northrop a second source on fighter contracts.

Unfortunately, the Pentagon's penchant for sophisticated weapons will make many dual-source contracts more expensive than single-source ones. Having one company build 100 B-1 bombers is often cheaper than having two companies build fifty each. Thus, unless the Pentagon changes its strategic thinking to favor a large force of relatively simple and more reliable weapons produced in large quantities that bring down unit costs, it will frequently be cheaper to do business with one crooked contractor than with two or three relatively honest ones.

Once the Pentagon diversifies its contracting ranks (you probably won't live to see the day), it could implement a policy of Mutually Assured Debarment (MAD). Debarment rules could be rewritten to describe specific offenses that would result in suspension or debarment of the offending corporate division. The work, and the workers of a fraudulent firm, could be transferred to another supplier. Contractors would understand that they would be brought low at the bottom line for certain transgressions. And the Pentagon would know it had no choice but to retaliate swiftly and decisively against first strikes at the public treasury. □

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BOOKS & THE ARTS.

Remember Dat?

CAROL STERNHELL

LATER THE SAME DAY. *By Grace Paley. Farrar Straus & Giroux. 211 pp. $13.95.*

Each time I try to think about Grace Paley, two photographs intrude. In one, brown and faded, a naked infant lies on a bearskin rug, staring solemnly at the camera. In the other, a colorful, awkwardly posed snapshot, a gray-haired woman blows out candles on an elaborate homemade sixtieth-birthday cake. The baby is serious, the woman smiles, but in both photos intent brown eyes catch mine. The eyes are the same; the face, despite sixty years, is eerily the same. The woman in both pictures is my mother.

It's the unmistakable eyes gazing out at me that distract me from my reading: Grace Paley, I think, would know those eyes. For above all, Grace Paley *notices*: she sees passion in the familiar, quirkiness in the quotidian, that essential core that stares at us, outlasting years. I imagine Paley strolling along New York City streets, riding the D train, or the LL, or the QB, fading into dusty stoops and benches, always listening to the changing voices and the voices that never change. It's no accident that her third collection of short stories in twenty-six years is titled *Later the Same Day*. The same voices, older now, speak from its pages; the same characters, despite years of knowing "that madmen intend to destroy this beautifully made planet," remain "ideologically, spiritually, and on puritanical principle against despair"; the same eyes—unmistakable eyes—humorously or fiercely survey their world.

In a sense, Paley's three slim volumes of stories can be read as one continuous work, a Jewish Greek chorus of witnesses and survivors, "revisionist Communist and revisionist Trotskyite and revisionist Zionist registered Democrats," the P.T.A.'s "soft-speaking tough souls of anarchy," talking and talking and talking. More than any writer I can think of, Paley delights in voices, New York voices. Conversations become symphonies: "It was my own song in my own world and, of course, it may not be useful in the hard time to come." When *The Little Disturbances of Man* appeared in 1959 we heard the accented voices of immigrants, the cadences of the Lower East Side:

> I was popular in certain circles, says Aunt Rose. I wasn't no thinner then, only more stationary in the flesh. In time to come, Lillie, don't be surprised—change is a fact of God. From this no one is excused. Only a person like your mama stands on one foot, she don't notice how big her behind is getting and sings in the canary's ear for thirty years. Who's listening?

Fifteen years later, in *Enormous Changes at the Last Minute*, a new generation was creating new language out of the rhythms of rock music and Board of Estimate hearings and concerned Village mothers: "I dwell in soot and slime just so you can meet kids like Arnold Lee and live on this wonderful block with all the Irish and Puerto Ricans, although God knows why there aren't any Negro children for you to play with." The speaker here is Faith, Paley's best-known character and the subject of her most powerful stories, a literary alter ego who inspirits all three collections. Faith and her sons, Richard and Anthony (Tonto), her ex-husband, Ricardo and lover Jack, her elderly parents and vibrant women friends reappear throughout the stories—observing, arguing, aging, talking—becoming increasingly central. Faith is the presence that provides coherence, the guardian of memory; with Faith, Paley's separate volumes of stories become a sort of impressionistic novel.

By *Later the Same Day*, children are growing up, joining the League for Revolutionary Youth, going mad, going underground, dying: "But oh! It's true! Selena's Abby was not the only one of that beloved generation of our children murdered by cars, lost to wars, to drugs, to madness." Parents are settled in old-age homes—the Children of Judea, Coney Island Branch—complaining to the manager about a lack of "first-class literature":

> Dear Goldstein, Are we or are we not the People of the Book? I admit by law we're a little non-sectarian, but by and large we are here living mostly People of the Book. Book means mostly to you Bible, Talmud, etc., probably. To me, and to my generation, idealists all, book means BOOKS. Get me? Goldstein, how about putting a little from Jewish Philanthropies into keeping up the reputation for another fifty years. . . . Wake up, brother, while I still got my wits.

Faith and her friends, middle-aged now, are coping with it all, nourishing each other. Faith looks at Ann and remembers their first meeting, over a sandbox when the babies were small: "I think a bond was sealed then, at least as useful as the vow we'd all sworn with husbands to whom we're no longer married. Hindsight, usually looked down upon, is probably as valuable as foresight, since it does include a few facts."

Paley's tales don't offer resolution, closure; characters age, wars are fought and children disappear, but in a sense the stories are fragments, portraits, selections from the human chorus. In *Enormous Changes at the Last Minute*, Paley recounted a now-famous conversation with her dying 86-year-old father:

> "I would like you to write a simple story just once more," he says, "the kind de Maupassant wrote, or Chekhov, the kind you used to write. Just recognizable people and then write down what happened to them next."
>
> I say, "Yes, why not? That's possible." I want to please him, though I don't remember writing that way. I *would* like to try to tell such a story, if he means the kind that begins: "There was a woman . . ." followed by plot, the absolute line between two points which I've always despised. Not for literary reasons, but because it takes all hope away. Everyone, real or invented, deserves the open destiny of life.

Instead of plot, she gives us dialogue; instead of endings, possibilities; instead of conflicts resolved, conversations overheard. Most of all, Paley, refusing despair, insists on giving us hope. "Luckily," thinks Faith, while her friend Selena is dying, "I learned recently how to get out of that deep well of melancholy. Anyone can do it. You grab at roots of the littlest future, sometimes just stubs of conversation. Though some believe you miss a great

Carol Sternhell, a writer and critic, teaches journalism at New York University.

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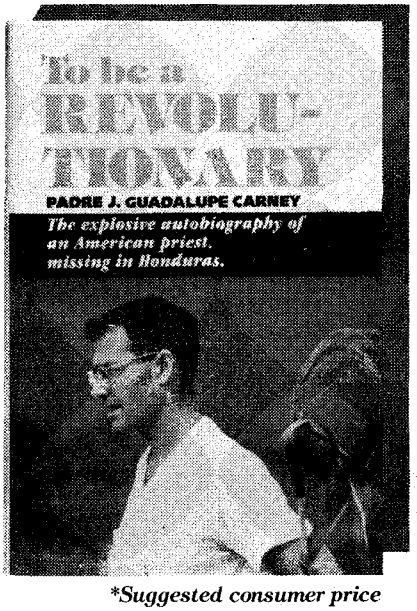

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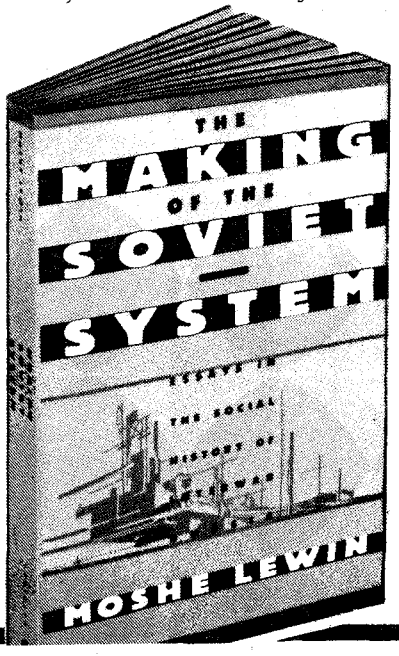

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deal of depth by not sinking down down down." The marvel of Faith's, and Paley's, optimism is that it never sacrifices depth—that even when sinking down, it continues to cast a cool light. When Faith's 18-year-old son, Anthony, accuses her of being a goody-goody—"Next thing, you'll say people are darling and the world is *so* nice and round that Union Carbide will never blow it up"—she thinks about our precarious planet: "He was right to call my attention to its suffering and danger. He was right to harass my responsible nature. But I was right to invent for my friends and our children a report on these private deaths and the condition of our lifelong attachments."

This remark, to me, communicates the essence of Paley's art. Private deaths and lifelong attachments are the heart of her work, the human core, but the suffering of the world frames each smaller portrait and makes it matter: Paley's characters never become annoyingly self-absorbed because they never forget that their globe keeps moving. "In fact, I am stuck here among my own ripples and tides," thinks Faith. "Don't you wish you could rise powerfully above your time and name? I'm sure we all try, but here we are, always slipping and falling down into them, speaking their narrow language, though the subject, which is how to save the world—and quickly—is immense." These people talk of relationships, but also of revolution, of idealism and hydrogen bombs, of racism and Vietnam. Why, wonders Faith after making love with a Sinologist, does China "have such a rotten foreign policy?"

> Nick: For godsakes, don't you understand anything about politics?
> Richard: Yeah, and why does Israel trade probably every day with South Africa?
> Ruth (*Although her remarks actually came a couple of years later*): Cuba carries on commercial negotiations with Argentina. No?
> The boys at supper: Tonto (*Softly, with narrowed eyes*): Why did China recognize Pinochet just about ten minutes after the coup in Chile?
> Richard (*Tolerantly explaining*): Asshole, because Allende didn't know how to run a revolution, that's why.
> Jack reminded them that the U.S.S.R. may have had to overcome intense ideological repugnance in order to satisfy her old longing for South African industrial diamonds.

Unlike so much modern fiction, which

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celebrates *only* private deaths, Paley reports it all, political, personal, painful. Her world is so very rich because it takes in the whole world.

If anyone is likely to inherit this messy world it's the children, and concern for children animates *Later the Same Day*. Selena's Abby is dead; Ann's Mickey is inaccessible, "a son, a boy of fifteen, who disappears before your very eyes into a darkness or a light behind his own, from which neither hugging nor hitting can bring him. If you shout, Come back, come back, he won't come." Ruth's Rachel has become a revolutionary, has gone underground, "grown from girl to woman in far absence, making little personal waves from time to time in the newspapers or in rumor which would finally reach her parents on the shores of their always waiting—that is, the office mailbox or the eleven o'clock news." When Faith, at a U.N. conference, befriends a Chinese woman, they talk about raising children. "Perhaps it's too late," says the visitor. "Was I foolish? I didn't know in those years how to do it." "Oh, Xie Feng," responds Faith. "Neither did I."

Faith and her friends can't save the world—they can't even protect their own children—but they can maintain their hopefulness, and in that way guard against despair. Says Faith's lover Jack:

> Haven't we said the words "gone" and "where"? Haven't we sometimes in the last few years used the word "terrible" and we mean to include in it the word "terror"? Everyone knows this about life. Though of course some fools never stop singing its praises.

Answers Faith:

> Yes, and this is in order to encourage the young whom we have, after all, brought into the world—they must not be abandoned. We must, I said, continue pointing out simple and worthwhile sights such as—in the countryside—hills folding into one another in light-green spring or white winter. . . . Not to mention our own beloved city crowded with day and night workers, shoppers, walkers, the subway trains which many people fear but they're so handsomely lined with pink to dark dark brown faces, golden tans and yellows scattered amongst them. It's very important to emphasize what is good or beautiful so as not to have a gloomy face when you meet some youngster who has begun to guess.

In many voices—a human chorus—Grace Paley sings life's praises. Children disappear, but new children are born into language, into storytelling. "Remember dat?" asks Ruth's tiny granddaughter, enjoying her newest sentence, "which could name so many pictures in her head." Remember that? asks Faith, creating for us a past ("which, as we know, thickens the present and gives all kinds of advice to the future"). Remember that? asks Paley, pasting old photographs into albums—and staring for a moment into remarkable eyes. □

The Apple Polisher

JIM SLEEPER

THE RISE AND FALL OF NEW YORK CITY. *By Roger Starr. Basic Books. 258 pp. $17.95.*

Ever since he panned Jane Jacobs's *The Death and Life of Great American Cities* in *The Village Voice* twenty-three years ago, Roger Starr has been the kind of public figure New York City's housing activists love to hate. He has often invited that hatred, delivering himself of dyspeptic observations about an ill-mannered populace whose selfishness and myopia he blames for the disaffection of major investors and hence for New York City's fall from civic grace.

Not surprisingly, a small army of hecklers, effigy-burners, muckrakers and pamphleteers has dogged Starr's footsteps up the slopes of capitalist apologetics to its summit on the tenth floor of *The New York Times*, where since 1977 he has written most of the editorials on local housing, economic development and elections (he is the arbiter of the paper's endorsements for the City Council, State Legislature and Congress). "Twinkle, twinkle, Roger Starr, tell us how your profits are," chanted one group of picketing tenants in 1974 when, as Abe Beame's housing commissioner, Starr released a study showing that landlords' costs had outstripped their incomes from publicly-regulated rents. In a characteristic response, Starr felt moved to tell a *Times* reporter that "as a young radical I used to prattle about human rights versus property rights. It's not so easy, I've discovered, to make the distinction."

Such sophistry from someone who'd never known privation enraged the Metropolitan Council on Housing, which demanded that Starr resign. "Where resignation is concerned," he wrote the group's chair, Jane Benedict, "I am indeed resigned to receiving telegrams from the Met Council." But part of him loved it. Like Mayor Edward Koch, Starr seldom passes up an opportunity to flail the ghosts of liberalism past. His has to be one of the longest-running political sideshows in town.

More often, however, Starr delivers in the cooler language of policy intellection what Koch acts out in the vaudeville of electoral politics. *The Rise and Fall of New York City* is a disappointing book, but it articulates better than *Mayor* the assumptions about growth, equity and the legitimate exercise of urban power that run the city and that guide the *Times*'s editorial page in its positions on the Koch administration. Partly for that reason, Roger Starr has more to teach us than Ed Koch does.

Unlike the Mayor, Starr wears his capitalism as comfortably as an old tweed coat. He salts his discourse with homespun anecdotes drawn from his enormous knowledge of the city's history to illustrate his belief that free enterprise and the urban promise are inseparable, so long as their occasionally rocky relationship is mediated by statesmen of tact and urbanity.

He tells us that courting capital requires well-mannered city officials and good workers; that it requires such legal bribes for investors as generous zoning and tax concessions; that those and other social costs of private ventures must be artfully marketed to restive taxpayers; and, most important of all, that the city needs the provisional dictatorship of visionaries like Robert Moses, who forced open the city to an automobile age that would otherwise have passed it by. That there is no Robert Moses today is one of Starr's great regrets.

These are not new themes. They have appeared in Starr's earlier books on housing and the urban environment and in his *Times* editorials, which seem to

Jim Sleeper researched Roger Starr's life and work as a Charles Revson Fellow at Columbia University in 1983.

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have been recycled for this book. But Starr is now 67, and *Rise and Fall* also reads like an elegy, an effort to transcend journalism and lay claim to New York as Gibbon did to Rome. We are in fifth-century Rome; democracy has become a riot of bread and circuses, sustained by elites who'd rather pander than build. Roger Starr stands alone on the bridge of the ship, a watchman in the twilight of entrepreneurial glory:

> Above all, the city government could have avoided arousing in its citizens false hopes of frozen rents, and the false belief that government can accomplish miracles of egalitarianism through government repeal of economic activity.

Because the government did arouse false hopes,

> the city faces a future in which it does not have the political support to hold off demands that it cannot meet with the means it expects to have. . . . The only question will be whether a new leadership will emerge, making the rise and fall of the city a cyclical process as regular as the tides, or whether New York has had one rise and is having but one fall.

For Starr that question has but one answer.

It is as easy to refute Starr's analysis as it is to disdain him for his description of Marx in *The American Spectator* as "a coarse, self-congratulatory, improvident, faithless, petty, tyrannical, ugly man." Yet I am moved by the disillusionment of Starr and the other postwar developer-statesmen who staked their careers, with an almost religious passion, on the notion that New York's curmudgeonly builders would coordinate their investments with the enlightened public policy of a provident national government.

Shaken by the Depression and World War II but buoyed by the possibilities of the New Deal and the unexpected resiliency of the postwar boom, Starr and his cohorts at the Citizens' Housing and Planning Council, where he was executive director for fifteen years, believed in economic growth, big government, even big unions—all sparked to excellence, of course, by civic-minded, integration-oriented capitalist visionaries like themselves. Their faith was betrayed in the halls of Congress and corporate boardrooms and not in the communities where Starr fought his battles with recalcitrant activists, but that seems lost on him even now. Still, we would do well to listen to his complaints.

It is too easy to forget that Starr was an early and consistent champion of the city's extraordinary public housing system and that, even while promoting urban renewal against the protestations of Jane Jacobs and her neighbors in the West Village of the early 1960s, he was also defending that same program against charges of creeping socialism by suburban real-estate interests. Jacobs was right to warn that "cataclysmic" infusions of government-backed redevelopment would irreparably damage the fabric of neighborhood life, but Starr's prophecy that in rejecting public planning the Village left itself open to the speculative updrafts of private planners has also proved correct.

Of course, the planning Starr championed wasn't genuinely public. As urban analyst Paul Du Brul has put it, the Citizens' Housing and Planning Council "gave a veneer of social concern to the classically political builders who made vast fortunes on public housing and Mitchell-Lama [middle-income] projects." When a "reformed" public sector in the late 1960s began to block Starr's capitalist visionaries in the name of "advocacy planning," he turned against it. *Rise and Fall* rests on the assumption that liberal politicians, anxious to please obstreperous community groups, hinder capitalist development without demonstrating even the intention of delivering anything else; they leave us with the worst of both worlds.

The left might agree, drawing the lesson that "reform" is not enough. Since Starr despairs of revolution, he wishes reformers wouldn't raise expectations in the first place. His book is a catalogue of their illusions. More subtly, I think, it is a catalogue of his own, which are intelligible only if we know something about who he is.

Starr was born in 1918, the only child of a family located midway between the city's mercantile German-Jewish community of "Our Crowd" and the great Eastern European Jewish proletariat of the Lower East Side. Although Starr's father, Frederick, was born in Russia in 1879, he came to America early enough to earn a B.A. from City College in 1899. By 1910, Frederick Starr was shipping sand and gravel to the fledgling Russian Jewish builders who put up vast stretches of multifamily dwellings in the

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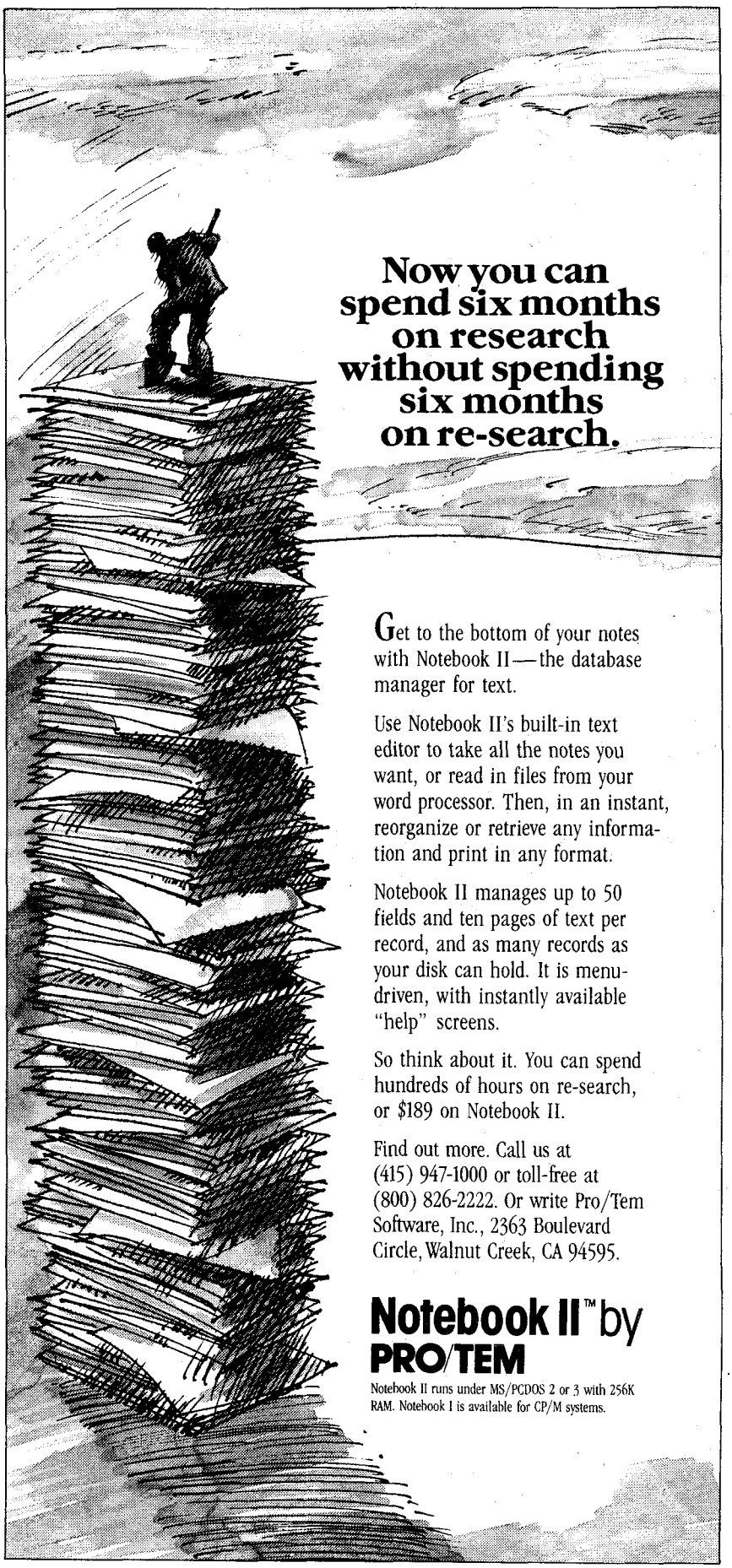
Bronx and Brooklyn in the 1920s. (As housing commissioner, his son Roger presided over the abandonment of these same buildings, calling for "planned shrinkage" of the city.) Starr's childhood was comfortable. Through his father's business he came to know the city as few of his kind could. At large in a world of boats and construction, he learned which of the city's inlets were tidal and which fresh; where the hulls of old boats lay buried; where the striped bass spawned and how to fish for them; where the ash from Brooklyn's coal-fired boilers was dumped; how the economics of a tenement was inscribed on the backside of the janitor's wife as she scrubbed down the stairs in exchange for their lodgings.

Starr's New York was also a city of panoramas. From the decks of his father's barges he glided past the sweltering masses crammed along the shore—the contrast reminiscent of *Dead End*, Sidney Kingsley's haunting 1935 drama of waterfront squalor and adjacent wealth, which Starr cites in *The Rise and Fall of New York City*.

Starr knew the city well, but at some remove, and his distance from it increased when he was sent off to the Lawrenceville School at 15. Lawrenceville's Spartan regimen may have made many an adolescence miserable but it also marked its survivors for distinction, implanting in them an indestructible if perverse nostalgia for its torments, along with a proclivity to raise families not at home to Jewish callers.

Starr swallowed his injuries there and at Yale, where he was automatically excluded from fraternities and exclusive senior societies. Pre-eminent among his classmates was William Bundy, whose forbidding features, even at 18, seemed to embody the stern visage of American power and its determination to surmount the challenges of the 1930s. As class president, Bundy was ably assisted by Cy (Spider) Vance, Sargent Shriver and William Scranton, whom Starr defeated in a spelling bee to win, "for his orthographic excellence, a kindly pat on the head," according to the class book.

They were all great good fellows, knights-errant of a commodious American capitalism; but a pat on the head is not to be confused with the tap on the shoulder that would have ushered Starr into Scranton's senior society, Berzelius, or into Bundy's Skull and Bones. "As chairman of *The Lit* [the Yale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undergraduate literary magazine], Roger could have been expected to be elected to a senior society," Richard Ellman recalls. "I remember being with him on Tap Day when he was overlooked. With a part of one's mind, one despised the senior societies, but there was of course another part, longing for acceptance and recognition. In general, Jewish students at Yale did not feel at home."

But Starr took the harness and bit, except in one regard: his short stories, published in *The Lit*, dealt with the poignancy of encounters across class and racial lines. In one of them, a youth working on a barge for the summer watches two white workers betray a black crewmate called the Coon by reporting his occasional drunkenness. As the broken black man steps off the barge onto the launch that will carry him off to unemployment, the white workers affect innocent regret. But "the kid," fond of the Coon, tosses stones angrily into the water. "At least I should have shaken his hand," he muses, walking to the stern of the boat, where he finds the man's fishing pole and one last bait clam in the bucket. Baiting the hook, he thinks, "Coon had to get fired so's I can fish. I'm fishin' with the Coon's left eye."

Another story concerns Kristalnacht, that terrible evening in 1938, Starr's junior year, when the Nazis first set loose their thugs to smash the windows of Jewish shops and homes. In the story, two college boys leaving New York for New Haven witness an inexplicable beating on Park Avenue of a group of unknown men, perhaps radical workers, by police detectives wielding blackjacks. The boys hurry to their car and speed north in silence. Over the car radio an announcer reports the terrible events in Berlin, and the two shaken students feel like accomplices. Finally, the narrator's friend breaks the unbearable tension, bursting out, "We should go back." The driver agrees, and his agreement keeps echoing unspoken in his head, even as he steps on the accelerator, unable to turn back.

This is not the writing of a Jew trying to pass. Nor is the story of the kid on the barge the work of an arrivé. The tales make no concessions to the predictable interests and prejudices of a Yale audience. Nor do they ape the proletarian literature of the time. In each story, moral perceptions are sharpened to a point of personal honor, yet the protagonist is unable to throw himself into the breach. There is always a distance, sometimes excruciating but apparently unbridgeable.

Two years out of Yale, something in Starr had changed. He made a bold, perhaps self-promoting gesture by releasing to the daily newspaper *PM* a copy of a letter he'd written his draft board. *PM* ran a large picture of Starr, seated confidently in his family's study, over the headline, "Park Ave. Youth Ready to Fight . . . If They'll Put Him in a Negro Unit."

"I am convinced," Starr told *PM*, "that Negro segregation in the armed forces and the anti-Negro policies of many of our defense manufacturers question the sincerity of our talk of

BLACK AND WHITE

The shadows of the pieces inch
east to west as the game progresses.
The sunlight might be a third player,
conspiring through the open window.
Later, as the room darkens,
the walls recede for miles
and the board rises from the table,
spins around, and settles back again.
So that our positions are reversed.

Stopping the clock for a while,
we gaze across the floor,
countless rows of tiles,
black and white, gleaming . . .
and recalling that the house itself
lies on an enormous prairie
which, aerially, must also appear checkered,
we share an instant of vertigo, and harmony,
but arrive at none of the obvious conclusions.

At midnight, in silence, a city
of stars passes unobserved in the sky,
and the game, which began at noon,
ends suddenly in a draw.

AT THE STATION

A pair of soldiers drove up in a jeep,
dropped off a girl with a paper bouquet,
and sped around the corner.
The platform was empty and the night thick.
On a balcony a muzzled white dog stared at the moon,
and the station-master, in his office, drank
rye and tried to count the stars.
The girl boarded the express
and never returned to the city again.
Out past the farm country,
where the lakes are walled with pines,
she dreamt of the two soldiers, naked,
cornered by a dog in a moonlit field.

In the morning an accident was reported
in which two soldiers drove
their jeep off a remote bridge.
The police found a white dog howling
at the scene, a torn muzzle around his neck.
More baffling was the case of
the station-master who shot himself
in his locked office
and hid the revolver before he died.
To this day it has never been found.

Nicholas Christopher

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democracy and threaten the efficiency of our entire defense effort." Starr "has led a pretty comfortable life," *PM* advised its readers, "but he is aware that not all Americans have been as fortunate."

One evening not long after the *PM* story ran, Starr's doorbell was rung unexpectedly by Vito Marcantonio, the popular Communist Congressman from East Harlem. Marcantonio asked him to address an interracial rally uptown. Starr declined, and after some polite conversation the Congressman left. Starr did join the National Association for the Advancement of Colored People, hosting interracial meetings on the somewhat tautological assumption that segregation persisted because "Negro and white people did not meet each other very often." The gatherings were "dull as dishwater," he would later recall, "embarrassing to all present, and did nothing to solve the problem of segregation in the United States Army."

War service in the Office of Strategic Services, an "Our Crowd" marriage and a stint running his father's barge and contracting business changed Starr further. The next significant reference to him in a newspaper was a half-page *World-Telegram* spread in 1947 titled "Starrs' Colorful Apartment True Harlequintessence." Their Tudor City penthouse, decorated by Alban Conway, boasted a studio living room with twenty-foot ceilings and long windows framing a magnificent midtown view. At his wife's family's summer home in Westport, Starr fished, played tennis, dabbled in Connecticut real estate and was drawn into some of his first serious conversations about housing with Richard Goldwater, a fellow Yale man and a founder of the Association for Middle Income Housing with Fiorello LaGuardia's former budget director, Bill Reid.

The challenge of developing workable low- and moderate-income housing fired Starr's imagination. Before long the Citizens' Housing and Planning Council would become his graduate school, professional career and spiritual home. Truly a council of the city's housing elders and developer-statesmen, C.H.P.C. nurtured and challenged Starr as nothing had before, combining access to New York's own capitalist knights-errant with an opportunity to pursue the social goals of his youth.

The council's vision of a slumless city has been dashed, in no small part

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PERIGEE

because too many men like Starr consumed themselves fighting the wrong enemies—the Jane Jacobses, Metropolitan Councils and minority squatters, instead of the Senator Bilbos, home builders' lobbies and speculators. An astute critic of the symptoms of civic decline, Starr has become obscurantist about the causes, the power relationships of investment and technology, that squeeze ordinary New Yorkers. Silent in the 1930s about his own treatment at Yale but vocal about the mistreatment of blacks, he now writes in *Commentary* about his old college classmates' indifference to the fate of the Jews in those years and, while acknowledging blacks' historic suffering, says little about their current problems except to attribute them to the unruliness of single-parent families.

Yet I cannot help thinking about the kid on the barge, the boys in that car on Kristalnacht and the harness and bit of old Yale; about the displacement of the injuries of a young man and the betrayals, from above, of a young housing advocate's crusade. Perhaps it has all been too much to acknowledge, and perhaps that is why such an interesting man has written such a gloomy, maundering book. □

DANCE.

MINDY ALOFF

Last Look
Roses

Dancegoers who rejected the mayhem of Pina Bausch's Wuppertaler Tanztheater last year have been drawn to Paul Taylor's latest work, *Last Look*, performed during the Taylor company's April season at City Center. At first glance, the preference seems unreasonable. Taylor's images are as violent and masochistic as Bausch's, and repeat with the same airless finality. The women fling themselves against the men with the same blind desperation, and the men heave the women about with the same cold nerve. From beginning to end, one cannot make out a single academic dance shape, and it soon becomes clear that the spasms and shudders have been siphoned from a familiar pool of expressionist motifs. Even the cut of the Alex Katz costumes—satiny wraps for the women, two-piece uniforms for the men—parallel the nightgowns and jumpsuits of Bausch's *Bluebeard*. Katz's set, a group of Mylar mirrored boxes in an angular configuration like the glass skyscrapers of Manhattan's Sixth Avenue, creates a mean, bleak space for the nine dancers. Lit glancingly by Jennifer Tipton, the mirrors work a brooding magic. In dancing, real and illusory spaces are moral matters; in the case of *Last Look*, the mirrors' deceit contributes to one's sense that the proceedings are taking place in hell.

But it is, at last look, only the appearance of hell. The score, composed by Taylor's music director, Donald York, may sound as if it's dissolving as it goes, but it's also making reference to Ravel's *La Valse*: in its dissolution it builds bridges to tradition. The dancers' virtuosity, rather than actual disorder among them, is what makes Taylor's intricately timed convulsions look hectic and spontaneous. In spite of its splintered style and prophetic overtones *Last Look* is a feast for the eye; in this, Taylor parts company with Bausch, who consistently serves up famine.

There is in Taylor's choreography a strain that people call the dark Taylor, represented by works like *Dust*, *Big Bertha*, *Churchyard* and *. . . Byzantium*. In such dances the lighting is dim and the figures are tormented or inflict torment for no visible reason. They seem to believe they're accomplishing one thing while the audience knows them to be failing at something else. The movement is subject to disintegration, the gestures to paralysis, the atmosphere to disquiet of an unspecific but profoundly sexual nature. *Last Look*, which ends with the dancers piled in an inert heap, belongs to this strain. But it is also part of another group: Taylor dances in which the performing space has been compressed or partitioned, like *Private Domain*, *Polaris*, *Diggity*, *Sunset*, *Snow White*. To some degree, these works are experiments in perception. How does a dance look inside an abstracted "house"? Or when partially obscured by curtains? When cut down for a stage within a stage? When distributed among equally spaced metal cutouts? Taylor's set designer for most of these investigations has been the painter Alex Katz, who brings a philosophical dimension to the choreographer's more visceral one. But the persistent poetry and connecting images must be Taylor's alone.

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At City Center, *Last Look* was performed after *Snow White*, designed by David Gropman. Only scale and tone separate the little looking glass the heroine preens before in the first work from the dancer-sized mirrors that seduce the figures in the later one.

Roses, the other Taylor premiere of the season, is tender, playful, sustained, measured and full of dancing that looks like dancing. It seems to be the antithesis of *Last Look* in large and small respects. *Last Look* unravels continuously; *Roses* begins twice (first as a dance for five couples, then for one featured couple). *Last Look* embodies its title in a late, difficult solo for David Parsons, who constantly refers to his mirror image as if to make sure he's real; *Roses*, costumed in black, white and gray, with the cyclorama lit in Prussian blue, contains no roses more literal than those suggested by the spiraling patterns of the movement or of the highly chromatic Wagner music (the *Siegfried Idyll* for the group, the *Adagio for Clarinet and Strings* for the soloists). But both works draw on austere palettes of movement, and both enjoy a concentrated focus, an unusual intensity. In *Last Look*, that focus is partially created by the set; in *Roses*, where dancing blooms across the entire stage, the tension comes from the disposition of the figures. Has Taylor ever so firmly elevated one couple from his tribe above the others as he does in *Roses*? In the "Adagio," five couples recline to watch the sixth perform. In both casts of soloists fielded at City Center—Cathy McCann and David Parsons, Kate Johnson and Thomas Evert—the women were the centerpieces of vision but the men set the tone, Parsons exultant, Evert ceremonial. The steps here owe much to ballroom dancing, and their civil restraint seems to come from the distant past or a great height when set against the more feral acrobatics for everyone else. They lead one to hear the measure that underlies Wagner's fabulous tumult, and one can't help thinking of them as ancestors or ideals—classics from whom romantics descend.

American Ballet Theatre, now at the Met, has bid adieu to guest star Natalia Makarova, and although the impression she made was markedly diminished compared with past seasons, the theater feels emptier without her. I saw her

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Juliet (in Kenneth MacMillan's *Romeo and Juliet*), her Manon (in Macmillan's *Manon* pas de deux) and her *Les Sylphides*, where she danced the leading ballerina role in "Prelude," "Pas de Deux" and "Waltz." Her partner throughout was company principal Kevin McKenzie. Their dancing didn't exactly rhyme—McKenzie is too tall a man and too curt a stylist for that—but it harmonized well, and the acting scenes were always tindery and sometimes thrilling.

Makarova is known for her legato dancing and her cantilena—the sustained "melody" of her line—as well as for her unpredictable, dramatic temperament on stage. Her body still sings, but very softly. Her jump is much reduced, and the flexibility of her lower back is no longer a given. As Juliet or Manon, where much of the action is concentrated in her hands, neck and head, she speaks clearly. In the ballerina role of *Les Sylphides*, where the poetry is concentrated in upper arm, lower back, thigh, knee and instep, her power barely reaches over the orchestra pit. And yet, even glimpsed from an immense distance, what a quality her figure suggests: something powerful but immeasurably light, a little thing that moves as slowly as a mammoth one, but with the twisting impulse of a small creature. Despite her lowered horizons on the jump, she performs the traveling sissonnes of the "Prelude" with an airiness no one else I know of can match: she still seems to land more slowly than she takes off. That sort of magic, slight but specific, is rare in our theaters. □

BOOK NOTES.

BARBARA FISHER WILLIAMSON

ANNIE JOHN. *By Jamaica Kincaid. Farrar Straus & Giroux. 148 pp. $11.95.* Annie John, the young narrator and heroine of these connected stories, is smart, strong-willed, competitive, used to being praised by her parents and teachers and petted by her peers. She is the domineering princess of a very small world, Antigua. Her tale of growing up there includes the customary trials of school, friendships and budding adolescence, but seems more unusual for its exotic setting. The stories are also distinguished by their minute examination of Annie's relationship to her mother—being in her mother's grace, being banished from her mother's protection, finally exiling herself. Jamaica Kincaid vividly conveys the uncontrolled energy of adolescence, the push and pull between parent and child, the longing for union while rejecting contact.

Annie tells her tales in short sentences, her tone flat, her language modest. This artless voice is her only voice. It works best when it is undercut by ironic detachment or overburdened by intense feeling, and least well when it is allowed to remain simply childish.

HOME TRUTHS: Sixteen Stories. *By Mavis Gallant. Random House. 330 pp. $17.95.* The sixteen stories of Mavis Gallant's new collection focus on footloose Canadians who try to reconnect themselves to a family or culture and to puzzle out the ground rules of their situations, which are often senseless, joyless and contradictory. "Thank You for the Lovely Tea" is set at a boarding school built to imitate a Bernardine abbey and ruled by an Anglicanism "neither too High nor too Low." On May 24, a date referred to as Queen Victoria's birthday, one of the students is taken to tea by a lady friend of her father's, who is not parental or friendly or at ease. Most of the stories contain a similar net of cultural cross signals, especially the six that chronicle the attempts of young Linnet Muir, educated in a variety of places, schools, languages and religions, to support herself in Montreal during "Hitler's War." Her work in a very dull government agency is full of cultural surprises:

> Only later would I discover that most other people simply floated in mossy little ponds labelled "French and Catholic" or "English and Protestant," never wondering what it might be like to step ashore; or wondering, perhaps, but weighing up the danger. To be out of a pond is to be in unmapped territory. The earth might be flat; you could fall over the edge quite easily.

Having no experience of the safe little pond, Linnet is by necessity an adventurer. She is also a fine reporter of the odd behavior she tries to assimilate. Even as a child, she attends to the kind of behavior that attracts explorers,

Barbara Fisher Williamson teaches literature at The New School.

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repetitive yet mysterious rituals:

> Whatever I was doing, I would be told to do something else immediately. . . . "Go out and play in the snow" was a frequent interruption. Parents in bitter climates have a fixed idea about driving children out to be frozen. There was one sunken hour on January afternoons, just before the street lamps were lighted, that was the gray of true wretchedness, as if one's heart and stomach had turned into the same dull, cottony stuff as the sky; it was attached to a feeling of loss, of helpless sadness, unknown to children in other latitudes.

The passage is perfectly observed: at first funny, then sad, then utterly true. The stories often move in this way, from the humorously observed particular to mournful reflection to a final, slightly bitter sense of mastery.

REASONS TO LIVE. *By Amy Hempel. Alfred A. Knopf. 129 pp. $11.95.* A woman visits her dying friend in the hospital and tells chimp jokes, eats popsicles and watches trashy television shows: "A movie starring men we used to think we wanted to sleep with. Hers was a tough cop out to stop mine, a vicious rapist who went after cocktail waitresses." Only at the end of the story, when the patient rips off her mask, slams down the corridor and crouches in the supply closet, does the horror of her situation break through. Another woman comforts herself for the loss of her fetus by knitting herself into oblivion: "I planned to knit myself a mailbox and a car, perhaps even a dog and a lead to walk him." Her obsession is at once hilarious and poignant. In the funniest story, the widow of a veterinarian arranges for the care of his stranded animals and in the process assesses her own loss and limitations. These and other strategies for coping with illness, loss, death, divorce, fire, earthquakes and less obvious disasters form the substance of Amy Hempel's fine first collection of stories. Lest this list sound grim, be assured that the strategy employed most frequently by the characters and first-person narrators is humor. While the humor is immediately accessible, the underlying situation is revealed slowly and obliquely. In some of the stories, the revelation has a powerful impact; in others, very little. When the stories work, the smooth, controlled surface cracks with real feeling; elsewhere they are merely California cool. □

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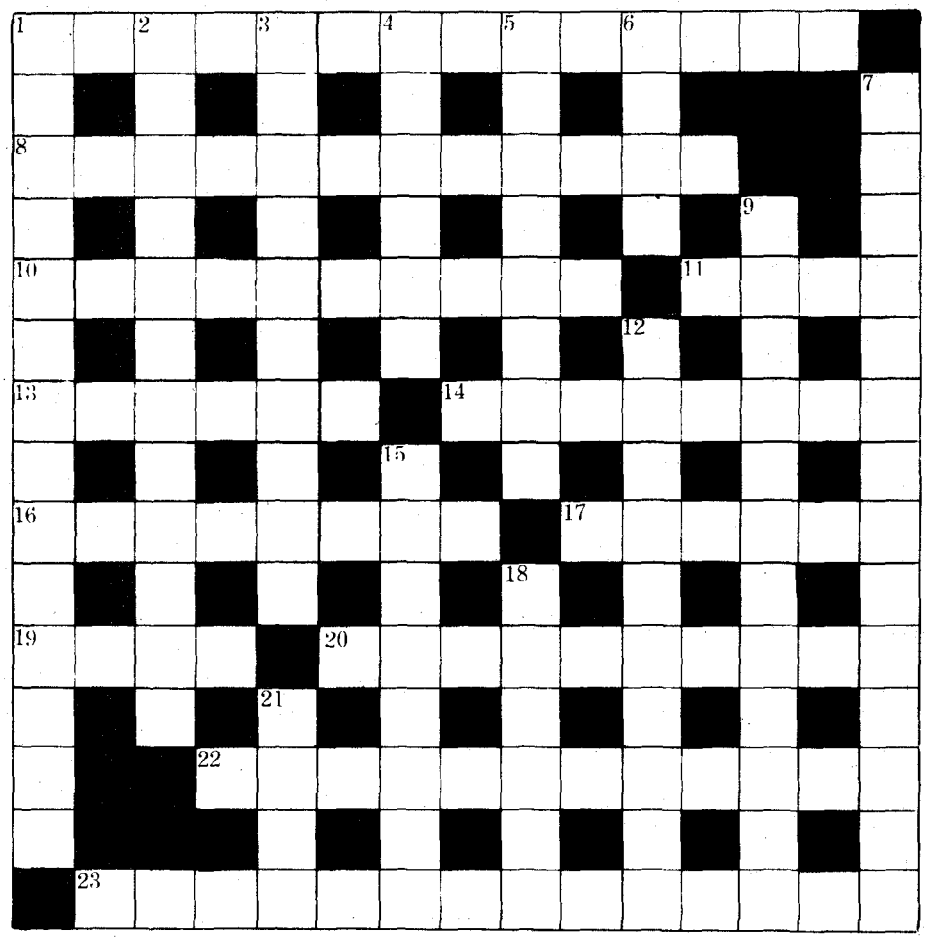

ACROSS

1 The sort of predeterminist that is not understood. (Tongue twisted, no doubt.) (14)
8 Childish way of asking for something good-looking, finally asleep, but restless. (6,6)
10 Placed between the deep sort, in trouble. (10)
11 Half-speed implied, in China? (Mark this!) (4)
13 One way to cut the cost, in certain medicines. (6)
14 Not quite sure about the upset boat? Maybe one deliberately wrecked it! (8)
16 Died and handed down an estate? (6,2)
17 See 7 down
19 Old French coins—the sort of thing actors expect, to tell them when to deliver. (4)
20 Story of the material that went into the gingham dog and the calico cat? (6,4)
22 The true character of a rake torn between the Raj's money and the Spaniard's girl. (4,8)
23 Shrink before crossing? Game for it, anyway! (8,6)

DOWN

1 A broken hip seems to help like the very devil! (14)
2 Part of the Chinese meal might be a waste, under so poor management! (5,3,4)
3 Dry fruit biscuit? Or just a crazy, underprivileged southeasterner in the ballet? (10)
4 Sort of 19 missing a hundred? Your help might be in yours. (6)
5 Young West Pointers aren't really so common. (8)
6 Use a system, and you'll find a simple answer. (4)
7 and 17 across More or less disagreeable, by implication? (Bigger and better, bad as well!) (11,3,6)
9 Straight over it! (One still might want to have this in hand.) (5,2,1,4)
12 Animal found exclusively in California? (6,4)
15 A hook may straighten out this place. (8)
18 Not a good artist, in a narrow sense. (6)
21 Fly smack up? (4)

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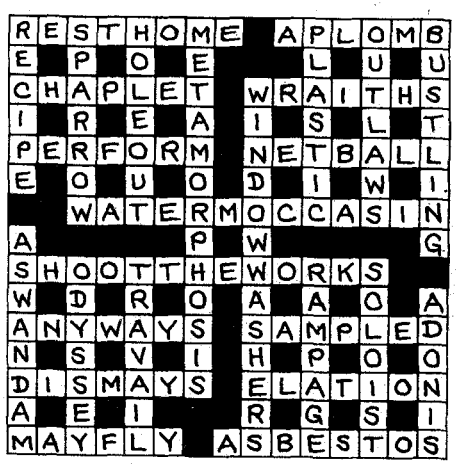
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THE NATION, April 6, 1985

The Haitian Refugee Center (HRC) was founded in 1973 to address these problems and to provide FREE LEGAL REPRESENTATION for Haitian refugees in their asylum, deportation and exclusion hearings. Currently the Center, under the leadership of Father Gerard "Jerry" Jean-Juste, represents more than three thousand indigent Haitian refugees.

On many occasions, HRC has petitioned the U.S. courts for civil rights guarantees for all refugees. In *HRC v. Civiletti,* the Courts held that the Immigration and Naturalization Service (INS) had violated the Constitution, immigration statutes and international law and that its discriminatory practices must stop. In the recent *Jean v. Nelson* case, heard by the U.S. Supreme Court, HRC argued to stop invidious discrimination against refugees in exclusion proceedings, particularly the Haitians.

YOUR SUPPORT WILL ENABLE THE HAITIAN REFUGEE CENTER TO CONTINUE THE STRUGGLE TO:

- WIN POLITICAL ASYLUM FOR HAITIAN BOAT PEOPLE
- SECURE LEGAL STATUS FOR HAITIAN REFUGEES
- FREE HAITIANS FROM UNFAIR INCARCERATION IN DETENTION CENTERS
- PROVIDE PUBLIC EDUCATION ON IMMIGRATION AND CONDITIONS IN HAITI
- PROVIDE FREE ADVICE AND LEGAL MATERIALS TO VOLUNTEER IMMIGRATION ATTORNEYS THROUGHOUT THE NATION
- RE-ESTABLISH OUR TOLL-FREE INFORMATION AND SUPPORT HOT LINE
- STOP THE REVOCATION OF HAITIANS' WORK PERMITS BY INS

Please send in the coupon. Become a supporter of Haitian Rights to Political Asylum from the repressive Duvalier Regime and the Ton Ton Macoutes.

HAITIAN REFUGEE CENTER, INC. 36 N.E. 54 St., Miami, FL 33137

HELP STOP INJUSTICE AGAINST HAITIAN BOAT PEOPLE

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